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RAJASTHAN RULES COMPENDIUM

(IN 16 VOLUMES)
(1949 TO 1967)

By
VYAS & BAFNA



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INDEX
RAJASTHAN RULES COMPENDIUM
(1949 to 1967)
VOLUME IV

45. Court Fees Act, 1870. (Central Act, No. 7 of 1870).
 (i) The Rajasthan Court Fees Rules, 1954
 (ii) The Rajasthan Process Fees Rules, 1954.
 (iii) Rajasthan Probate Valuation Rules, 1960.
 (iv) Notifications.
46. Court Fees Act (Adaptation) Ordinance 1950, The Rajasthan Ordinance (No. 9 of 1950).
 (i) Notifications under the Rajasthan Court Fees Act (Adaptation) Ordinance, 1950.
47. Court Fees and Suits Valuation Act, 1961. The Raj. (Act No. 23 of 1961).
 (i) Rajasthan Court Fees and Suits Valuation Rules, 1961.
 (ii) Notifications.
48. Criminal Procedure Code, 1898. (Central Act No. 5 of 1898).
 (i) Rajasthan Special Criminal Courts Rules, 1949.
 (ii) Rules for payment to witnesses in Criminal Courts.
 (iii) The Previous Convicts (Notification of Residence) Rules, 1958.
 (iv) High Court General Rules (Criminal), 1952.
 (v) Notifications.
 (vi) Rajasthan Prisoners Release on Parole Rules, 1958.
 (vii) Rules for the Execution of warrants for the Levy of Fines, 1960.
49. Criminal Law (Amendment) Act, 1932.
 (i) Notifications.
50. Dangerous Drugs Act, 1930 (Central Act No. 2 of 1930).
 (i) Raj. Dangerous Drugs Rules, 1961.
 (ii) Notifications.
1. Defence of India Act, 1962.
 (i) Raj. Conditions of Detention Defence of India Orders, 1962.
 (ii) Exhibition of Price lists of Goods Order, 1962.
 (iii) Notifications.

52. Defence of India Rules, 1962.

- (i) Rajasthan Arms and Ammunition Control Order, 1965.
- (ii) Rajasthan Compensation for Requisitioning of Vehicles (Defence of India) Order, 1964.
- (iii) Rajasthan Conditions of Detention (Defence of India) Order, 1962.
- (iv) Exhibition of Price lists of Goods Order, 1962 (Rescinded).
- (v) Rajasthan Husking Machines (Prohibition of Operations) Order 1966, (Rescinded).
- (vi) Rajasthan Coarse Grains (Prohibition of Export) Order, 1964. (Rescinded).
- (vii) Rajasthan Coarse Grains (Regulation of Distribution) Order, 1964 (Rescinded).
- (viii) Rajasthan Foodgrains (Prevention of Hoarding) Order, 1964. (Rescinded).
- (ix) Rajasthan Gram and Barley (Prohibition of Export) Order, 1965 (Rescinded)
- (x) Rajasthan Jowar, Maiza, Bajra and Paddy Procurement (Levy) Order, 1965.
- (xi) Rajasthan Rice Procurement (Levy) Order, 1965. (Rescinded)
- (xii) Rajasthan Rice Procurement (Levy) Order, 1965 (Rescinded)
- (xiii) Rajasthan Rice (Export Control) Order 1961.
- (xiv) Rajasthan Rice (Import Restriction) Order, 1960.
- (xv) Notifications

53. Dentists Act, 1948 (16 of 1948).

- (i) Notifications.

54. Destruction of Records Act, 1917 (5 of 1917)

- (i) Notifications.

Disciplinary Proceedings (Summoning of witnesses and Production of Documents) Act, 1959. The Rajasthan (No 28 of 1959).

- (i) Rajasthan Disciplinary Proceedings (Summoning of witnesses and Production of Documents) Rules, 1960.

56. Displaced Persons (Debts Adjustment) Act, 1951 (Central Act No. 60 of 1951).

- (i) Displaced Persons (Debt Adjustment) (Rajasthan) Rules, 1952.
- (ii) Notifications.

57. Rajasthan Divisional Commissioner (Office Abolition) Act, 1962.

- (i) Notifications.

58. Dowry Prohibition Act, 1961 (Central Act 28 of 1961)
 - (i) Notifications.
59. Dramatic Performances and Entertainments Ordinance, 1949. The Rajasthan (29 of 1949).
 - (i) The Rajasthan Dramatic Performances and Entertainment Rules, 1955.
 - (ii) Notifications.
60. Drugs Act, 1940 (Central Act No. 23 of 1940).
 - Rajasthan Drugs Rules, 1954.
 - (ii) Notifications.
61. Drugs (Control) Ordinance, 1949. The Rajasthan (31 of 1949).
 - (i) Notification.
62. Drugs and Magic Remedies (objectionable Advertisements) Act, 1954 (Central Act No. 21 of 1954).
 - (i) Notification.
63. Dungarpur State Devasthan Nidhi (Amendment) Act, 1959 (Raj. Act 40 of 1959).
 - (i) Dungarpur State Devsthan Nidhi Rules, 1961.

III

60. Drugs Act, 1940 (Central Act No. 23 of 1940).
 - (i) Rajasthan Drugs Rules, 1954.
 - (ii) Notifications.
 61. Drugs (Control) Ordinance, 1949. The Rajasthan (31 of 1949).
 - (i) Notifications.
 62. Drugs and Magic Remedies (objectionable Advertisements) Act, 1954 (Central Act No. 21 of 1954).
 - (i) Notifications.
 63. Dungarpur State Devasthan Nidhi (Amendment) Act, 1959 (Raj. Act 40 of 1959).
 - [i] Dungarpur State Devasthan Nidhi Rules, 1961.
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Rules and Notifications under

COURT FEES ACT, 1870. (CENTRAL ACT, No. 7 OF 1870)

RAJASTHAN COURT FEES RULES, 1954

Jaipur, February 14, 1955.

No. F. 49 (3) 84/54.—In exercise of the powers conferred by the Court Fees Act, 1870, of the Central Legislature as adapted to Rajasthan by the Rajasthan Court Fees Act (Adaptation) Ordinance, 1950 (Rajasthan Ordinance No. IX of 1950), the Government of Rajasthan is pleased to make the following rules, namely:—

CHAPTER I.

PRELIMINARY.

1. (1) These rules may be called the Rajasthan Court Fees Rules, 1954.

(2) They extend to the whole of Rajasthan.

(3) They shall come into force on the date of their first publication in the Rajasthan gazette.

Sections 26, 27, 34, 35 of the Court Fees Act, 1870 authorise the State Government to frame rules for the purposes of mentioned in these sections. These rules have been framed in exercise of the powers so conferred.

2. In these rules, unless there be something repugnant in the subject or context:—

(a) “Act” means the Court Fees Act, 1870 of the Central Legislature as adapted to Rajasthan by the Rajasthan Court Fees Act (Adaptation) Ordinance, 1950 (Rajasthan Ordinance No. IX of 1950);

(b) “Section” means a section of the Act;

(c) “Schedule” means a schedule to the Act;

(d) “State” means the State of Rajasthan; and

(e) “Superintendent of Stamps” means the Superintendent of Stamps for Rajasthan and includes any other officer appointed by the Government to perform the functions of the Superintendent of Stamps for the purposes of the Act and these rules.

3. The provisions of the General Clauses Act, 1897 of the Central Legislature shall apply to the interpretation of these Rules in the same manner as they apply to the interpretation of a Central Act.

4. Stamps bearing the words “court fee” are the court fee stamps for the purposes of these rules.

CHAPTER II.

MODE OF PAYMENT OF FEES AND KINDS OF STAMPS.

The rules under this Chapter have been framed in exercise of powers conferred under section 26 of the Act which reads as under:—

These rules have been first published in Rajasthan Raj-patra dated March 5, 1955, in Part IV (c) at page 907.

The stamps used to denote any fees chargeable under this Act shall be impressed or adhesive, or partly impressed and partly adhesive, as the Appropriate Government may, by notification in the Official Gazette from time to time direct.

5. Except as otherwise provided by the Act or by these rules—

- (1) All fees chargeable under the Act shall be paid, and such payment shall be, by means of court fee stamps issued by the Government for the purposes of the Act and these rules,
- (2) the Court fee stamp which by any word or words on the face of it is appropriated to any particular purpose shall not be used for any other purpose.

*Explanation :—*For the purposes of clause (I), a stamp of the Central Government or of the Government of any Covenanted State shall be deemed to have been issued by the Government if it is super-imposed with the word “Rajasthan” or with the letters “Raj”.

6. There shall be two kinds of stamps for the payment of fees chargeable under the Act, namely:—

- (1) impressed court fee stamps super-imposed with the word “Rajasthan” and
- (2) adhesive court fee stamps super-imposed with the word “Rajasthan” or with the letters “Raj”.

7. No impressed or adhesive court fee stamp which is/does not super-imposed as specified in rule 6 shall be used in Rajasthan, after the commencement of these rules, for the payment of fees chargeable under the Act.

CHAPTER III.

USE & SUPPLY OF STAMPS.

Section 27 of the Act authorises the State Government to make rules for regulating the supply of stamps to be used and number of stamps to be used for denoting any fee chargeable under the Act. The rules under this Chapter have been framed in exercise of the powers conferred under this section.

8. When in any case the fee chargeable under the Act is less than 25/- rupees such fee shall be denoted by adhesive court fee stamps.

9. When in any case the fee so chargeable amounts to or exceeds 25/- rupees, such fee shall be denoted by impressed court fee stamps, adhesive court fee stamps being employed to make up fractions to less than 25/- rupees.

10. If in any case the amount of the fee chargeable under the Act involves a fraction of an anna, such fraction shall be remitted.

11. The additional court fee payable under section 19 E. of the Act on probates or letters of administration shall be denoted in the same manner as is laid down in rules 8, 9 and 10.

The section 19 (e) of the Act provides for the payment of additional court fees in cases where too low a court fee has been paid on applications for probates or letters of administration. This payment of additional court fee shall also be governed in accordance with the above rules 8, 9 and 10.

12. Adhesive court fee stamps shall be affixed to the right hand top corner of the first page of a document when written on pie paper ; or when a document is written on an impressed court fee stamp and adhesive court fee, stamps are required to be used to pay additional fee, such adhesive stamps shall be affixed to the right hand top corner of the impressed court fee stamps but immediately below the engraved portion thereof. If a document is written on more impressed court fee stamps than one, adhesive court fee stamps should be affixed in the same manner to the first impressed court fee stamp used for the document.

13. When two or more impressed stamps are used to make up the fee chargeable under the Act, a portion of the document shall ordinarily be written on each such stamps. When this is impracticable or seriously inconvenient, the document shall be written on one or more impressed court fee stamps of highest value, next highest value and so on. The remaining impressed court fee stamps, if any, shall be punched and cancelled by the court or the Public Officer who shall record the certificate on the first impressed court fee stamp of the document to the effect that full fee has been paid. The writing on each impressed court fee stamp shall be attested by the person or persons concerned.

14. When in the case of fee amounting to less than 25/-rupees, the amount can be denoted by a single adhesive court fee stamp, such fee shall be denoted by the single adhesive court fee stamp of the required value. If the amount can not be denoted by a single adhesive court fee stamp or if the single adhesive court fee stamp of the required value is not available, a court fee stamp of next lower value available shall be used and the deficiency shall be made up by the use of one or more additional adhesive court fee stamps to make up the required amount of the fee.

15. In the case of fee amounting to or exceeding rupees 25/- the fee shall, if possible, be denoted by a single impressed court fee stamp of the required value. If the amount can not be denoted or if a single impressed court fee stamp of the required value is not available, an impressed court fee stamp of the next lower value available shall be used and the deficiency shall be made up by the use of one or more additional impressed and adhesive court fee stamps.

16. If a court fee stamp of a particular value which should be used under rules 14 and 15 is not available at the nearest Treasury or Sub-Treasury or from the nearest licensed vendor, the required value may be made up by the use of 2 or more court fee stamps available at such Treasury or Sub-Treasury or from such vendor, a stamp of the next lower value available being used in preference to

stamps of higher value. In every such case a certificate stating the value and number of stamps required but not available shall be given by the Treasury Officer or Sub-Treasury Officer or vendor, as the case may be, in the following form:—

“Certified that a single court fee stamp of the value of required for this document is not available but in lieu thereof I have furnished a court fee stamp of the next lower value available and made up the deficiency by the use of one or more adhesive court fee stamps of the next lower values available required to make up the exact amount of fees.”

Date.....

Signature of Stamp Vendor.

17. Whenever a Treasury Officer or Sub-Treasury Officer or a vendor finds that the stock of the court fee stamps of a particular value is surplus, he may issue such stamps in preference to court fee stamps of higher value in order to adjust the surplus stock. In every such case the Treasury Officer or Sub-Treasury Officer or vendor, as the case may be, shall give a certificate stating the value and number of the court fee stamps required but not issued in order to adjust surplus stock.

18. When one or more impressed court fee stamps of the required value are found to be insufficient to complete a document, so much pie-paper may be used and sub-joined thereto as may be necessary for the completion of such document.

19. Any adhesive court fee stamps used with impressed court fee stamps shall be affixed to the impressed court fee stamps of the highest value employed in denoting the fee.

20. When a Judge holds that a document is insufficiently stamped and, under the provisions of section 149 of the Code of Civil Procedure, 1908, allows the deficiency to be made, such additional impressed court fee stamps or adhesive court fee stamps or both as are necessary under these rules to represent the amount of the deficiency shall be filed. On each impressed court fee stamp so filed a reference to the insufficiently stamped document shall be endorsed.

Section 149 of the Civil Procedure Code authorises the court to allow any person to make up the deficiency of court fees. The rule prescribes the mode of payment for such deficient court fees.

21. A document stamped otherwise than in accordance with these rules is not properly stamped within the meaning of section 28.

22. The rules relating to sale of stamps contained in Chapter V of the Rajasthan Stamps Rules shall *mutatis mutandis* apply to the sale of court fee stamps under these rules and the ex-officio and licensed vendors under the Rajasthan Stamp Rules shall be deemed to be vendors of court fee stamps with the same rights and liabilities.

"Provided that the provisions of rule 34 of the Rajasthan Stamp Rules, 1955 shall not apply to court fees stamps not exceeding annas eight in value."

23. When a resident in a foreign State, who has obtained a succession certificate under section 382 of the Indian Succession Act, 1925, desires to get the same stamped in accordance with the Act with a view to make it effective in the State, he shall present such certificate before any Collector.

24. When a succession certificate is presented in accordance with rule 23, the Collector shall calculate the court fee leviable thereon, have the requisite court fee stamps affixed thereto and cancel the stamps in accordance with the instructions in force for the cancellation of court fee stamps under the Act.

CHAPTER IV.

RENEWAL & REFUNDS.

Section 27 of the Court Fees Act authorises the State Government to make rules for regulating the renewal and refunds on account of damaged or spoiled stamps. The rules in this Chapter prescribe the procedure for these purposes.

25. A court fee stamp shall be deemed to damaged or spoiled—

- (a) when such stamp or the paper on which it is impressed or fixed has been inadvertently spoiled, obliterated or by any means rendered permanently unfit for use, whether the said paper be written on or not, or
- (b) When by reason of some material error in the writing or copying of a stamped document it has become of no avail, or
- (c) When the purpose intended to be effected by a stamped document has been effected by some other document duly stamped, or
- (d) When by reason of death or other cause the transaction intended to be effected by a stamped document has become impossible of completion, or
- (e) When a duly stamped document is returned or rejected on account of any error or informality in the drawing up or signing thereof and such document can not be used again after removing the defect.

26. Renewal of damaged or spoiled adhesive court fee stamps shall not ordinarily be allowed except when they are used in continuation with impressed court fee stamps.

27. (1) If any person possessed of a damaged or spoiled impressed court fee stamp delivers up the same to the Collector for cancellation and applies for its renewal within six months after the same has become damaged or spoiled, the Collector may, if satisfied of the sufficiency of the grounds of the application, cancel and renew such stamp.

(2) For the purposes of this rule the renewal of a damaged or spoiled court fee stamp means the supply in lieu thereof if a fresh stamp or stamps of a similar kind and equal value, or, of required and the Collector thinks fit, court fee stamps of any other description to the same amount in value.

28. (1) When any person has in his possession impressed court fee stamps for which he has no immediate use or which have been spoiled or rendered useless for the purpose intended or when any person has in his possession 4 or more adhesive court fee stamps of denominations below five rupees or two or more adhesive court fee stamps of higher denominations which have not been detached from each other and for which he has no immediate use, the Collector shall on application refund the value of such stamps deducting one anna in the rupee, provided that such person delivers the stamps to the Collector for being cancelled and proves to his satisfaction that they were purchased with the bonafide intention to use them, that full price thereof has been paid and that they were purchased, spoiled or rendered useless within the period of six months preceding the date on which they are so delivered.

(2) Refund may be allowed in a case in which a plaint for filing a suit has been written on impressed court fee stamp or stamps but has not been presented to the Court.

(3) The State Government may in special cases allow refund in respect of impressed or adhesive court fee stamps of application is made within one year from the date of purchase of such stamps or in the case of stamps which are spoiled or rendered useless, from the date on which they were spoiled or rendered useless.

29. The Chief Controlling Revenue Authority may sanction the refund or renewal of detached adhesive court fee stamps in cases of special hardship deducting one anna in the rupee, provided an application is made within the period of prescribed in sub-rule (1) of rule 28.

30. When adhesive court fee stamps are affixed to the impressed court fee stamps in accordance with the directions contained in these rules, such adhesive stamps shall be regarded as impressed court fee stamps for the purpose of refund under these rules.

31. Orders of refund or renewal should be recorded on the stamp. The procedure laid down in Chapter VI of the Rajasthan Stamp Rules with regard to the refunds and renewals of non-judicial stamps shall apply *mutatis mutandis* to refunds or renewals under these rules.

CHAPTER V.

RULES AS TO CANCELLATION OF STAMPS.

The rules in this Chapter are meant to carry out the provisions of section 30 of the Court Fees Act which reads as under:—

No document requiring a stamp under this Act shall be filed or acted upon in any proceeding in any Court or office until the stamp has been cancelled.

Such officer as the Court or the head of the office may from time to time appoint shall, on receiving any such document, forthwith effect such cancellation by punching out the figure-head so as to leave the amount designated on the stamp untouched, and the part removed by punching shall be burnt or otherwise destroyed.

32. *Punching and cancellation of stamps.*—(1) Each Presiding Officer, should under section 30 of the Court Fees Act, 1870 as adapted to Rajasthan, formally appoint an officer for the purpose of cancellation stamps. That officer, who should ordinarily be the reader for documents filed in court and the Musarim (or other ministerial officer authorised to receive any applications) for documents presented before him, shall personally attend to, and be personally responsible for, the strict fulfilment of the duty of receiving documents to be filed, examining the correctness and adequacy of the stamps attached thereto and immediately cancelling such stamps as are required by section 30 of the Court-fees Act. There is no objection to the ministerial officer appointed employing trustworthy subordinates to do the mere manual work of cancelling the stamps, subject to the approval of the court, but it will be on the distinct understanding that that officer will be personally responsible for the due execution of the duty and for any defalcation or fraud that may occur in connection with it.

Note :—(1) The presiding officer should see that punching is done immediately in presentation of the petitions and other documents in court.

(2) A rubber stamp in the following form shall also be used :—

| |
|-----------------------|
| C A N C E L L E D . |
| Date...../...../..... |

It should be applied across the adhesive stamps and upon the paper on either side of it but not in such a way as to obliterate the entries thereon or to render the detection of forgeries more difficult.

(2) Too strict a compliance with the provisions of section 30 of the Court-fees Act cannot be enjoined. In all cases it should be carefully seen that the court-fee stamps are punched out, that the pieces are destroyed, and the stamps registered before the documents to which the stamps are attached are filed or acted upon.

(3) Every presiding officer should inspect and test the work of his officers from time to time so as to ensure attention to their duty and to limit opportunities for fraud. A very efficient check could be kept on any attempt to defraud Government, if each Presiding officer examines daily some of the record he handles and if he also examines periodically bundles of records of cases, dealt with by him, taken out at random from the shelves in which they are placed.

33. *Aggregate value and number of stamps to be noted.*—The official entrusted with the work of cancellation and first punching

of court-fee labels and impressed stamps shall legibly record on the document, below the stamps, the aggregate value and number of the stamps used to denote each separate fee.

When two or more impressed stamps are used, the official concerned shall record the aggregate value and number of stamps on the first sheet and on the other sheets he shall make a note that it forms part of that particular amount.

34. *First punching of labels on copies etc.*—The Court or Office issuing copies, certificates or other similar documents liable to stamp duty shall, before issue, cancel the labels affixed to them by punching out a portion of the label in such a manner as not to remove that part of the label upon which its value is expressed.

A portion of the stamp on the left side shall be punched out by the officer on the issue of the copy, translation, certificate, probate or letters of administration. On the filling of the document, a second hole shall be punched in the stamp in the manner prescribed by these rules.

35. *Destruction of pieces punched out.*—The portion of the stamp removed by the punching prescribed in rules 32 and 34 shall be burnt or otherwise destroyed by the officer charged with the duty of punching it out.

36. *Forgery of stamps to be reported to Government.*—The presiding officer of every court shall report immediately to the State Government, through the Inspector General of Stamps and Registration, Rajasthan, any instance of forgery or fraudulent use of any description of stamps, whether general, Judicial, postal or telegraph coming to his notice. Such report shall be accompanied by full particulars as to the nature of the forgery or fraud perpetrated, and if possible, by specimens.

By Order of,
His Highness the Rajpramukh,
J. N. PUROHIT
Secretary to the Government.

NOTIFICATIONS UNDER COURT FEES ACT

Published in Raj. Raj-patra Vol. 2 No. 27 Dated 17-6-50 at page 215 :

Jaipur, June 20, 1950.

No. F. 49 (6)-S. R./50.—In pursuance of section 35 of the Court Fees Act, 1870 (No. VII of 1870) of the Central Legislature as adapted to Rajasthan the Government of Rajasthan is pleased to order that the fee chargeable on appeals from orders under section 47 or section 144 of the Code of Civil Procedure, 1908, as adapted to Rajasthan, shall be limited to the amount chargeable under Article 11 of the Second Schedule to the Court Fees Act, 1870, as adapted to Rajasthan.

By Order of H. H. the Raj Pramukh,
V. NARAYANAN,
*Secretary to the
Government of Rajasthan.*

Published in Raj. Raj-patra Vol. 3 No. 60 D/- June 30, 1951 Part I at page 358 :

Judicial Department.

NOTIFICATION

Jaipur, June 25, 1951.

No. F. 16 (1) Jud./51.—In exercise of the powers conferred by section 35 of the Court Fees Act, 1870 (VII of 1870), of the Central Legislature, as adapted to Rajasthan, the Government of Rajasthan is pleased to remit the Court fee chargeable under articles 6, 7 and 9 of the first schedule to the said Act on copies furnished by civil or criminal courts or revenue courts or offices for the private use of persons applying for them:

Provided that nothing herein contained shall apply to copies when filed, exhibited or recorded in any court of justice or received by any public officer.

By Order of
His Highness the Rajpramukh,
PRABHU DAYAL LOIWAL,
*Secretary to Government,
Judicial Department.*

Published in Raj. Raj-patra Vol. 3 No. 142 D/- 19 1-52 Part I at page 1085 :

Jaipur, February 13, 1952.

No. F. 16 (1) Jud/51.—In exercise of the powers conferred by section 35 of the Court Fees Act, 1870 (VII of 1870) of the Central Legislature, as adapted to Rajasthan, the Government of Rajasthan is pleased to remit Court Fee chargeable under Article 1 (a) of the Second Schedule to the Act on an application or petition presented to the officer concerned for grant of licence for the cultivation of poppy as required under the Central Opium Rules, 1934 and subsequently amended.

Published in Raj. Raj-patra Vol 4 No. 60 D/- 14-6-52 at page 253 :

Jaipur, June 5, 1952.

No. F. 16 (5) *Jud./52*.—In exercise of the powers conferred under section 35 of the Court Fees Act, 1870 of the Central Legislature as adapted to Rajasthan the Government of Rajasthan is pleased to remit the fees payable under the said Act on applications for issue of pilgrim passes to the Hejaz, Iraq and Iran.

By Order of
His Highness the Rajpramukh
SHARDOOL SINGH MEHTA,
Secretary to the Government.

Published in Raj. Raj-patra D/- November 20, 1954 Part I (b) at page 530 :

NOTIFICATIONS

Jaipur, November 3, 1954.

No. F. 16 (9) *SR/54*.—In exercise of the powers conferred by section 35 of the Court Fees Act, 1870 (Act No. VII of 1870) as adapted to Rajasthan, the Government of Rajasthan is hereby pleased to remit the court fees chargeable on applications and memorandum of appeal filed by jagirdars in connection with the implementation of the Rajasthan Land Reforms and Resumption of Jagirs Act, 1952 (Rajasthan Act No. VI of 1952). This notification shall have effect as from the date of its publication in the Rajasthan Gazette.

J. N. PUROHIT,
Secretary to the Government.

Published in Raj. Raj patra D/- February 11, 1956 Part I (b) at page 1077 :

(Authorised by His Highness the Rajpramukh)

Jaipur, February 2, 1956.

No. F. 16 (2) *SR/55*.—In exercise of the powers conferred by section 35 of the Courtfees Act, 1870 (VII of 1870), as adapted to Rajasthan, the Government of Rajasthan hereby remits the Court-fees chargeable on the following documents when presented on behalf of the Government in any civil, criminal or revenue court, namely:—

1. Application for a copy.
2. Application for inspection of record.
3. Application for adjournment of a case.

Published in Raj. Raj patra Dated June 16, 1956 Part I (b) at page 244 :

Jaipur, June 2, 1956.

No. F. 16 (20) *S.R./54*.—In exercise of the powers conferred by section 35 of the court fees Act 1870 (VII of 1870) as adapted to Rajasthan by the Rajasthan Court Fee Act (Adaptation) ordinance, 1950 (ordinance No. IX of 1950), the Government of Rajasthan is hereby pleased.

(1) to remit all fees payable under schedule II of the court fees Act 1870 upon applications for the grant or renewal of licences or duplicates under the Indian Arms Rules, 1951, in respect of which a fee is payable under those rules, and

(2) to reduce to one anna all fees exceeding one anna which might be payable under schedule II of the Court fees Act 1870 upon other applications relating to licences or duplicates granted or renewed under the said Rules.

By Order of
His Highness the Rajpramukh,
G. S. PUROHIT
Secretary to the Government

Published in Raj. Raj-patra Dated May 30, 1957 Part IV (c) at page 76 :

NOTIFICATIONS

Jaipur, April 17, 1957.

No F. 2 (18) E&T/56.—In exercise of the powers conferred by section 35 of the Court Fees Act, 1870 (Central Act VII of 1870) as adapted to the pre-Reorganisation State of Rajasthan, and of that Act as in force in the Ajmer area and the Abu area, and by the corresponding law in force in the Sunel area, the State Government hereby remits the court fees chargeable for any application, suit or other proceeding by or on behalf of a Banking Company in liquidation.

Published in Raj. Raj-patra Dated December 26, 1957 Part IV (c) at page 810 :

EXCISE AND TAXATION DEPARTMENT

NOTIFICATIONS

Jaipur, December 10, 1957.

No. D. 9221/57/F. 2 (18)/E & T/56/11.—In exercise of the powers conferred by (1) section 35 of the Court Fees, Act, 1870 (Central Act VII of 1870, as adapted to the Pre-reorganisation State of Rajasthan by the Rajasthan Court Fees Act (Adaptation) Ordinance, 1950 (Rajasthan Ordinance No. XI of 1950), and (2) by the corresponding laws in force in the Abu, Ajmer and Sunel areas; and in supersession of Notification No. F. 2 (18) E&T/56, dated the 17th April, 1957, the State Government hereby remits the court fees payable by or on behalf of a banking company in liquidation in respect of any application, suit or other proceeding filed by or against any such company in the course of its winding up, and any copy thereof.

Published in Raj. Raj-patra at page 68 :

GOVERNMENT OF THE UNITED STATE OF RAJASTHAN
Law Department.
NOTIFICATION.

Jaipur, January 24, 1950.

No. F. 12 (127) L/49.—In exercise of the power conferred by sub-section (3) of section 1 of the Rajasthan Court Fees Act (Adaptation) Ordinance, 1950, the Government of the United State of Rajasthan is pleased to appoint the 1st day of March, 1950, to be the date on which the said Ordinance shall come into force.

PRABHU DAYAL LOIWAL,
*Secretary to the Government of
the United State of Rajasthan,
Law Department.*

Published in Raj. Raj-patra Dated January 14, 1950 part IV (c) at page 380 :

GOVERNMENT OF THE UNITED STATE OF RAJASTHAN
Separate Revenue Department.
NOTIFICATION.

Jaipur, January 9, 1950.

No. F. 14 (3)-X/SRD/49.—In exercise of powers under the provisions of the various Court Fees Acts in force in the United State of Rajasthan corresponding to those contained in section 35 of the Court Fees Act, 1870 (No. VII of 1870), of the Central Legislature, the Government of the United State of Rajasthan is pleased to remit the Court Fee payable on succession certificates granted under the law in force in Rajasthan corresponding to section 379 of the Indian Succession Act, 1925 (No. XXXIX of 1925), of the Central Legislature, in respect of the estates of persons subject to the

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. The Indian Navy (Discipline) Act, 1934 (No XXXIV of 1934) 2. The Indian Army Act, 1911 (No. VIII of 1911). 3. The Indian Air Force Act 1932 (No. XIV of 1932) | marginally noted Central Acts, who are killed or who die from wounds inflicted, accident occurring or diseases contracted within three years before death, while on active service against |
|--|--|

an enemy, or on service which is of a warlike nature, or which involves the same risks as active service, where the amount or value of the property does not exceed Rs. 50,000/-.

G. S. PUROHIT,
*Secretary to Government,
Separate Revenue Department,
United State of Rajasthan.*

Published in Raj. Raj-patra Vol. 2 part I at page 940 :

Separate Revenue Department.

NOTIFICATIONS.

Jaipur, February 9, 1951.

No. F. 22 (1)-SR/50.—In exercise of the powers conferred by section 35 of the Court Fees Act, 1870, of the Central Legislature, as adapted to Rajasthan under the Rajasthan Court Fees Act (Adaptation) Ordinance, 1950, the Government of Rajasthan is pleased to remit the court fee chargeable in the Rajasthan State on Succession Certificates issued by a competent authority in any State of India other than the Rajasthan State.

Published in Raj. Raj-patra Dated May 19, 1956 part I (b) at page 193 :

NOTIFICATION

Jaipur, May 2, 1956.

No. F. 17 (7) Rev. 1/54.—In pursuance of section 20 of the Court Fees Act (No. VII of 1870) as adapted by the Rajasthan Court Fees Act (Adaptation) Ordinance, 1950 (IX of 1950), His Highness the Rajpramukh of Rajasthan is pleased to confirm the rules made by the High Court of Rajasthan, Jodhpur, under the aforesaid section regarding fees chargeable for serving and executing processes issued by the Revenue Courts in Rajasthan.

By Order of

His Highness the Rajpramukh,

R. N. HAWA,

Secretary to the Government.

Published in Raj. Raj-patra Dated March 27, 1958 part IV (c) at page 1119 :

Jaipur, February 13, 1958.

No. F. 2 (37)/E & T/57.—In exercise of the powers conferred by section 35 of the Court Fees Act, 1870 (VII of 1870) as adapted to Rajasthan by the Rajasthan Court Fees Act (Adaptation) Ordinance, 1950 (Ordinance No. IX of 1950), the Government of Rajasthan is hereby pleased to remit the court fee charged under article 12 of schedule I to the said Act in respect of succession certificates granted or extended by a District Judge in the State of Jammu & Kashmir after the 1st April, 1951.

By Order of the Governor,

G. S. PUROHIT,

Secretary to the Government.

११३१ राजस्थान राज-पत्र, मार्च २७, १९५८ भाग ४ (ग)

जयपुर, फरवरी १३, १९५८

संख्या एफ. २ (३७) ई. एण्ड टी १५७—कोर्ट फीज एक्ट, १८७० (सं० ७, सन् १८७०), जैसा कि वह राजस्थान के लिये राजस्थान कोर्ट फीज एक्ट (एडेप्टेशन) आर्दिनेन्स, १९५० (आर्दिनेन्स सं० ९, सन् १९५०) द्वारा अनुकूलित है, कि धारा ३५ द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, राजस्थान सरकार एतद्द्वारा, उक्त एक्ट के शेड्यूल १ के आर्टिकल १२ के अधीन ऐसे उत्तराधिकार-प्रमाण-पत्रों के बारे में जो १ अप्रैल, १९५१ के पश्चात् जम्मू व काश्मीर राज्यामें किसी जिला न्यायाधीश द्वारा प्रदान किये गये हों या जिनकी मियाद बढ़ा दी गई हो, आरोप्य शुल्क की छूट देती है।

राज्यपाल की आज्ञा से

जी० एस० पुरोहित,

शासन साचव।

RAJASTHAN PROCESS FEE RULES

Jodhpur, March 12, 1951.

No. 1 Gen./51.—The following Process Fee Rules for serving and executing processes issued by Civil and Criminal Courts, established within Rajasthan, framed under section 20 of the Indian Court Fees Act, 1870, as adapted to Rajasthan, and approved by the Rajasthan Government, are hereby published for general information. They shall come into force from 1-4-51.

By Order,
MADHO PRASAD GUPTA,
Registrar,
Rajasthan High Court, Jodhpur.

Rules under section 20 of the Indian Court Fees Act, 1870, as adapted to Rajasthan, for serving and executing processes issued by Civil and Criminal Courts established within Rajasthan.

Notes

These rules have been framed in pursuance of powers conferred under section 20 of the Indian Court Fees Act which provides that,—The High Court shall, as soon as may be, make rules as to the following matters :—

(i) The fees chargeable for serving and executing processes issued by such Court in its appellate jurisdiction, and by the other Civil and Revenue Courts established within the local limits of such jurisdiction ;

(ii) the fees chargeable for serving and executing processes issued by the Criminal Courts established within such limits in the case of offences other than offences for which police officers may arrest without a warrant ; and

(iii) the remuneration of the peons and all other persons employed by leave of a Court in the service or execution of processes.

The High Court may from time to time alter and add to the rules so made.

All such rules, alterations and additions shall, after being confirmed by the Provincial Government, be published in the Official Gazette, and shall thereupon have the force of law.

Until such rules shall be so made and published, the fees now leviable for serving and executing processes shall continue to be levied, and shall be deemed to be fees leviable under this Act.

The Rajasthan High Court has, after the promulgation of these rules, framed general rules for Civil and Criminal Courts subordinate to it. Those rules contain separate Chapters for service and execution of processes, but the same do not specifically provide for the repeal of these rules.

Civil Courts.

1. The following scale of fees shall be charged for serving and executing processes issued by Subordinate Civil Courts in their original and appellate jurisdiction :—

These rules have been first published in Rajasthan Raj-patra at page 285.

| 1 | When the amount of claim exceeds Rs. 50/- | | When the amount of claim exceeds Rs. 50/- | |
|--|---|-----|---|------|
| | 2 | | 3 | |
| | Rs. a. p. | | Rs. a. p. | |
| (1) Summons, notice, proclamation, injunction or other order not specified in these rules, when the copies to be served or posted are not more than 4 in number, one fee | 1 | 8 0 | 1 | 0 0 |
| For every additional copy in excess of 4. | 0 | 6 0 | 0 | 4 0 |
| Provided that the maximum fee shall not exceed Rs. | 12 | 8 0 | 8 | 0 0 |
| (2) Every Order of Attachment. | 1 | 4 0 | 0 | 10 0 |
| (3) In respect of the Services of an Officer making an attachment. | 3 | 0 0 | 1 | 8 0 |
| (4) Every warrant of arrest in respect of each person to be arrested. | 2 | 0 0 | 1 | 0 0 |
| (5) Every order for sale of property. | 1 | 4 0 | 0 | 10 0 |
| (6) In respect of the services of the Officer conducting the sale, on the full amount of the purchase money. | 6 | 4 0 | % same | |
| (7) In respect of the services of the Officer making delivery of possession of property under Order 21, Rules 31, 35, 36, 95, 96, 98 and 101 of Act V of 1908 Code of Civil Procedure. | 3 | 0 0 | 1 | 8 0 |

2. No fees shall be chargeable for serving or executing :—

(1) Any process which may be issued by any Court of its own motion;

(2) Any process issued a second time in consequence of an adjournment made otherwise than at the instance of a party;

(3) Any copy of a summons, notice, order, proclamation or other process, posted in a Court house or in the office of a Collector.

(4) Any notice issued by a District Court under Schedule III, para 5 of Act No. V of 1908.

(5) Any order intimating withdrawal of attachment or postponement of sale.

(6) Any order intimating to a sale officer that permission has been given to a decree-holder to bid for or purchase property under Order 21, Rule 72 of Act V of 1908.

(7) Any copy of a notice of an application under the Guardian and Wards Act, 1890, sent to a Collector under Chapter XX, Rule 19.

(8) Any order directing an officer incharge of a Jail to detain or to release a person committed to his custody.

(9) Any process issued at the instance of the Government Pleader or a public officer when acting in that capacity.

3. No process referred to in rule 1 shall be issued or executed until the fee chargeable under that rule has been paid.

4. The fee shall be paid in court fee stamps.

5. When a court sends a process for service or execution to any court beyond its jurisdiction it shall endorse on the process a certificate that the fee chargeable has been levied.

6. Except as hereinafter provided, no fee paid under these Rules shall be refunded if the order in respect of which the fee has been paid has been passed—

(1) If for any reason it becomes unnecessary for an officer to proceed to make an attachment in the manner prescribed in Order 21, Rules 43, 44, 51 and 54 and section 46 or delivery of possession of property under Order 21, Rules 31, 35, 36, 95, 96, 98 or 101 of Act V of 1908, any fee paid in respect of his service shall be refunded.

(2) When in consequence of a compromise or for some other reason, it becomes unnecessary to serve or execute a summons, notice, warrant, proclamation, injunction or order not hereinbefore in this rule specified for which a fee has been paid, half of the fee shall be refunded if the process has not been issued.

(3) Application for refund of fees shall be entertained, unless it is filed as soon as the proceeding in which the fee has been paid has been finally decided except for special reasons to be recorded in the application.

7. If the service of a process, other than a warrant for arrest be declared 'EMERGENT' double the fee provided in Rule 1 shall be charged, in addition to other incidental charges, such as the necessary fare to cover the journey in case the place of service is beyond 5 miles from the Head-Quarters of the Court issuing the process. The amount of these charges shall be at the discretion of the Court and they shall be paid by the party named by the Court before service is ordered to be effected.

8. A table of the fees chargeable under Rule 1 shall be exposed to view in a conspicuous part of each Court as required by section 21 of the Court Fees Act.

Criminal Courts.

9. The following fees shall be chargeable for serving and executing processes issued by Criminal Courts in the case of an offence other than offences for which Police Officers may arrest without a warrant :—

| | |
|--|------------|
| (1) Every Warrant of arrest | Re. 0 12 0 |
| (2) Summons in respect of one person | Re. 0 4 0 |
| For each additional person | Re. 0 2 0 |
| (3) Proclamation for absconding person or warrant of attachment under sections 87 & 88 Cr. P. C. | Re. 0 12 0 |

Provided that :—

(a) no fee shall be chargeable on any process issued on the complaint or application of any public officer;

(b) any Criminal Court may remit in whole or in part the fees chargeable under this rule in cases other than those falling under Chapters XIX, XX, and XXI, I. P. C. whenever it is satisfied that the complainant or the accused has not the means to pay them.

10. Unless the Criminal Court by an order in writing otherwise directs no process will be issued until the fee chargeable has been paid.

11. All processes issued by a Criminal Court shall be served through the Police.

General.

12. The fee shall be paid in court fee stamps,

13. The Rules and practice heretofore in force regarding the process in respect of Courts to which these Rules are meant to apply, shall be repealed on the enforcement of these Rules.

The Rajasthan Probate Valuation Rules, 1960.

Excise and Taxation Department

NOTIFICATION

No. F. 2 (21) ET/58.—In exercise of the powers conferred by sub-section (8) of section 19-H of the Court Fees Act, 1870 (7 of 1870), as adapted to the State of Rajasthan by the Rajasthan Court Fees Act (Adaptation) Ordinance, 1950 (Ordinance No. 9 of 1950), the Government of Rajasthan, hereby makes the following rules namely:—

1. *Short title and commencement.*—(1) These rules may be called the Rajasthan Probate Valuation Rules, 1960.

(2) They shall come into force upon their publication in the Official Gazette.

Notes.

Sub-section (8) of section 19 H of the Court Fees Act, 1870 authorises the State Government to make rules for the guidance of Collectors in the exercise of the powers conferred by sub-section (3) of section 19 H of the Act.

Section 19 H of the Court Fees Act provides as under;—

(1) Where an application for probate or letters of administration is made to any Court other than a High Court, the Court shall cause notice of the application to be given to the Collector.

(2) Where such an application as aforesaid is made to a High Court, the High Court shall cause notice of the application to be given to the Chief Controlling Revenue Authority for the local area in which the High Court is situated.

(3) The Collector within the local limits of whose revenue jurisdiction the property of the deceased or any part thereof is, may at any time inspect or cause to be inspected, and take or cause to be taken copies of the record of any case in which application for probate or letters of administration has been made; and if, on such inspection or otherwise, he is of opinion that the petitioner has under-estimated the value of the property of the deceased, the Collector may, if he thinks fit, require the attendance of the petitioner (either in person or by agent) and take evidence and inquire into the matter in such manner as he may think fit, and, if he is still of opinion that the value of the property has been under-estimated, may require the petitioner to amend the valuation.

(4) If the petitioner does not amend the valuation to the satisfaction of the Collector, the Collector may move the Court before which the application for probate or letters of administration was made, to hold an inquiry into the true value of the property:

Provided that no such motion shall be made after the expiration of six months from the date of the exhibition of the inventory required by section 277 of the Indian Succession Act, 1865, or as the case may be, by section 98 of the Probate and Administration Act, 1881.

(5) The Court, when so moved as aforesaid, shall hold, or cause to be held, an inquiry accordingly, and shall record a finding as to the true value, as near as may be, at which the property of the deceased should have been estimated. The Collector shall be deemed to be a party to the inquiry.

(6) For the purposes of any such inquiry, the Court or person authorized by the Court to hold the inquiry may examine the petitioner for probate or letters of

administration on oath (whether in person or by commission) and may take such further evidence as may be produced to prove the true value of the property. The person authorized as aforesaid to hold the inquiry shall return to the Court the evidence taken by him and report the result of the inquiry, and such report and the evidence so taken shall be evidence in the proceeding, and the Court may record a finding in accordance with the report, unless it is satisfied erroneous.

(7) The finding of the Court recorded under sub-section (5) shall be final, but shall not bar the entertainment and disposal by the Chief Controlling Revenue-authority of any application under section 19-E.

(8) The State Government may make rules for the guidance of Collectors in the exercise of the powers conferred by sub-section (3).

Section 19 I of the Act further provides that:—(1) No order entitling the petitioner to the grant of probate or letters of administration shall be made upon an application for such grant until the petitioner has filed in the Court a valuation of the property in the form set forth in the Third Schedule, and the Court is satisfied that the fee mentioned in No. 11 of the First Schedule has been paid on such valuation.

(2) The grant of probate or letters of administration shall not be delayed by reason of any motion made by the Collector under section 19-H, sub-section (4).

Part IX of the Indian succession Act, 1925 deals with the subject of Probates and Letters of Administration. Chapter IV of Part IX of this contains provisions regarding practice in granting and revoking Probates and Letters of Administration respectively.

The present rules have been framed for the guidance of Collectors in exercise of their powers for determining the valuation for the purposes of court Fees for Probate and Letters of Administration.

2. Definitions.—In these rules, unless the context requires otherwise—

(a) "Act" means the Court-fees Act, 1870, as adapted to the State of Rajasthan;

(b) "petitioner" means a person who has applied to the Court for the grant of the probate of a will or letters of administration;

(c) "property" means moveable and immovable property of the deceased;

(d) "section" means a section of the Act;

(e) "valuation" means the valuation of assets filed with the application for the grant of probate or letters of administration, as required by section 19-I of the Act.

3. Verification of valuation.—On receipt of a notice from the Court under sub section (1) of section 19-H, the Collector shall at once proceed with the verification of the valuation.

4. When a copy of valuation is not received.—If the Collector has not received a copy of the valuation along with the notice, he shall obtain such copy from the Court or the Chief Controlling Revenue Authority, as the case may be.

5. Properties situate in several districts.—If the estate of the deceased includes properties situated in several districts, the Collector shall send a copy of the valuation to the Collector within the limits of whose revenue jurisdiction any part of the estate is situated and obtain from him a report of valuation of that part.

6. *Business assets.*—The Collector may require the petitioner to furnish a detailed statement of valuation of the business assets of the deceased or of the share of the deceased in the business or partnership firm.

7. *Evidence of share in business.*—The Collector may require the petitioner to produce any writing or document in regard to the share of the deceased in the business or firm and also to furnish a separate valuation to the assets, stock-in-trade, goodwill, outstanding due to the deceased and any other item relating to the business or firm.

8. *Valuation of ornaments.*—The Collector may require the petitioner to produce a list of ornaments, jewellery and any other valuable articles mentioned in the valuation together with a detailed statement of their value.

9. *Evidence of an expert valuer.*—The Collector may require the petitioner to produce evidence of an expert valuer or any person deemed fit by Collector, to satisfy him about the valuation made by the petitioner.

10. *Articles in a safe deposit.*—If any valuable articles are lodged in a safe deposit vault or deposited in any other place for safe custody, the Collector may require the petitioner to furnish a list thereof with their detailed valuation.

11. *Information regarding rents etc.*—The Collector may require the petitioner to produce detailed information in respect of rents, profits, dividends, debts and other dues to be recovered.

12. *Inspection of documents.*—The Collector may ascertain the basis on which the value of the property is assessed and may require the petitioner to produce for inspection, account books, cash books, profit and loss statements, statements showing payment of taxes on income or any other documents which in his opinion are necessary in arriving at the correct valuation of the estate of the deceased and to furnish true copies or extracts therefrom, if required for the purpose of ascertaining the correctness of the valuation.

13. *Failure of the petitioner to produce any information.*—If the petitioner fails to produce any evidence or documents or furnish any statement or information as required by the Collector under any of the foregoing rules, the Collector shall proceed to determine the value of the property on the data available to him, without delay.

14. *Valuation to be based upon market value whenever possible.*—Whenever it is ascertainable, the valuation of the property shall be based by the Collector on the market value thereof prevailing on the date on which an application for probate or letters of administration is made.

15. *When the valuation is under-estimated.*—If after examining the valuation of the property in accordance with the foregoing

rules, taking such evidence and making such further inquiry into the matter in such manner as he may think fit, the Collector finds that the value of the property has been under-estimated by the petitioner, he may require the petitioner to amend the valuation.

16. *Assistance from other officers.*—The services of the Assistant Collector or the Tehsildar or any subordinate revenue officer may be utilised by the Collector in obtaining such information as may be necessary to determine whether an inquiry under rule 15 should be held by him.

17. *Period of inquiry*—The Collector shall complete the inquiry about the valuation of the property under these rules within a period of four months from the date of the receipt of the notice from the Court. If the proceedings are delayed on any account he shall report periodically to the Court, till the valuation work is complete.

18. *Intimation to the Court.*—If after an inquiry under these rules, the Collector has asked the petitioner to amend the valuation, the Collector shall at once communicate his action to the Court with a request to intimate to him whether the amendment has been made or not.

19. *Register.*—A register in the following forms shall be kept in every Collector's office.

FORM

Register of notice of applications for probate and letters of administration.

1. Serial No.
2. Date of receipt of notice from the Court.
3. Name of the deceased.
4. Name and residence of the petitioner for probate of letters of administration.
5. Valuation shown by the petitioner.
6. Valuation by the Collector.
7. Valuation made by the Court under section 19H (5).
8. Amount of Court-fee originally paid.
9. Court-fee finally assessed.
10. Amount of additional Court-fee required.
11. Date of realisation of additional fee.
12. Remarks.

By Order of the Governor,
G. S. PUROHIT.
Secretary to the Government.

Rules and Notifications under

COURT FEES ACT (ADAPTATION) ORDINANCE 1950.
THE RAJASTHAN ORDINANCE (No. 9 OF 1950).

Notifications under

RAJASTHAN COURT FEES ACT (Adaptation) ORDINANCE, 1950.

Published in Raj. Raj-patra part IV (c) dated September 15, 1960 at page 357

Jaipur, August 31, 1960.

No. F. 2 (35) E & T/59.—In exercise of the powers conferred by section 8 of the Rajasthan Court Fees Act (Adaptation) Ordinance, 1950 (Ordinance 9 of 1950), the State Government hereby exempts all petitions of criminal appeals filed on behalf of the State in the Rajasthan High Court, from payment of court fees payable under clause (d) of article 1 of Schedule II to the Court Fees Act, 1870 (Central Act 7 of 1870), as adapted by the said Ordinance.

Rules and Notifications under

COURT FEES & SUITS VALUATION ACT, 1961. THE
RAJ. (ACT No. 23 OF 1961).

Rajasthan Court Fees and Suits Valuation Rules, 1961.

Excise and Taxation Department

NOTIFICATION

Jaipur, November 1, 1961.

No. F. 5 (108)ET/58.—In exercise of the powers conferred by section 73 of the Rajasthan Court Fees and Suits Valuation Act, 1961 (Act No 23 of 1961), the State Government hereby makes the following Rules, namely:—

CHAPTER I

Preliminary.

1. (1) These rules may be called the Rajasthan Court Fees and Suits Valuation Rules, 1961.

(2) They extend to the whole of Rajasthan

(3) They shall come into force on the date of their first publication in the Rajasthan Gazette.

2. In these rules, unless there be something repugnant in the subject or context:—

(a) "Act" means the Rajasthan Court Fees and Suits Valuation Act, 1961;

(b) "Section" means a section of the Act;

(c) "Schedule" means a schedule to the Act;

(d) "State" means the State of Rajasthan; and

(e) "Superintendent of Stamps" means the Superintendent of Stamps for Rajasthan and includes any other officer appointed by the Government to perform the functions of the Superintendent of Stamps for the purposes of the Act and these rules.

3. Stamps bearing the words "Court fee" are the court fee stamp for the purposes of these rules.

CHAPTER II

Mode of Payment of Fees and kinds of Stamps.

4. Except as otherwise provided by the Act or by these rules:—

(1) All fees chargeable under the Act shall be paid, and such payment shall be, by means of court fee stamps issued by the Government for the purposes of the Act and these rules.

(2) the court fee stamp which by any word or words on the face of it is appropriated to any particular purpose shall not be used for any other purpose.

Explanation — For the purposes of clause (1), a stamp of the Central Government or of the Government of any Covenanting State shall be deemed to have been issued by the Government if it is super-imposed with the word "Rajasthan" or with the letters "Raj."

5. There shall be two kinds of stamps for the payment of fees chargeable under the Act, namely:—

- (1) Impressed court fee stamps super-imposed with the word "Rajasthan". and
- (2) Adhesive court fee stamps super-imposed with the word "Rajasthan" or with the letters "Raj".

6. No impressed or adhesive court fee stamp which is/does not super-imposed as specified in rule 5 shall be used in Rajasthan, after the commencement of these rules, for the payment of fees chargeable under the Act.

CHAPTER III

Use and supply of Stamps.

7. When in any case the fee chargeable under the Act is less than 25/- rupees such fee shall be denoted by adhesive court fee stamps.

8. When in any case the fee chargeable amounts to or exceeds 25/- rupees such fee shall be denoted by impressed court fee stamps, adhesive court fee stamps being employed to make up fractions to less than 25/- rupees.

9. If in any case the amount of the fee chargeable under the Act involves a fraction of an anna, such fraction shall be remitted.

10. The additional court fee payable under section 56 of the Act on probates or letters of administration shall be denoted in the same manner as is laid down in rules 7, 8 and 9.

11. Adhesive Court fee stamps shall be affixed to the right hand top corner of the first page of a document when written on pie paper; or when a document is written on an impressed court fee stamp and adhesive court fee stamps are required to be used to pay additional fee, such adhesive stamps shall be affixed to the right hand top corner of the impressed court fee stamps but immediately below the engraved portion thereof. If a document is written on more impressed court fee stamps than one, adhesive court fee stamps should be affixed in the same manner to the first impressed court fee stamp used for the document.

12. When two or more impressed stamps are used to make up the fee chargeable under the Act, a portion of the document shall ordinarily be written on each such stamps. When this is impracticable or seriously inconvenient, the document shall be written on one or more impressed court fee stamps of highest value, next highest value and so on. The remaining impressed court fee

stamps, if any, shall be punched and cancelled by the court or the Public Officer who shall record the certificate on the first impressed court fee stamp of the document to the effect that full fee has been paid. The writing on each impressed court fee stamp shall be attested by the person or persons concerned.

13. When in the case of fee amounting to less than 25/- Rupees, the amount can be denoted by a single adhesive court fee stamp, such fee shall be denoted by the single adhesive court fee stamp of the required value. If the amount cannot be denoted by a single adhesive court fee stamp or if the single adhesive court fee stamp of the required value is not available, a court fee stamp of next lower value available shall be used and the deficiency shall be made up by the use of one or more additional adhesive court fee stamps to make up the required amount of the fee.

14. In the case of fee amounting to or exceeding rupees 25/- the fee shall, if possible, be denoted by a single impressed court fee stamp of the required value. If the amount can not be denoted or if a single impressed court fee stamp of the required value is not available, an impressed court fee stamp of the next lower value available shall be used and the deficiency shall be made up by the use of one or more additional impressed and adhesive court fee stamps.

15. If a court fee stamp of a particular value which should be used under rules 13 and 14 is not available at the nearest Treasury or Sub-Treasury or from the nearest licensed vendor, the required value may be made up by the use of 2 or more court fee stamps available at such Treasury or Sub-Treasury or from such vendor, a stamp of the next lower value available being used in preference to stamps of higher value. In every such case a certificate stating the value and number of stamps required but not available shall be given by the Treasury Officer or Sub-Treasury Officer or Vendor, as the case may be, in the following form:—

“Certified that a single court fee stamp of the value of required for this document is not available but in lieu thereof I have furnished a court fee stamp of the next lower value available and made up the deficiency by the use of one or more adhesive Court fee stamps of the next lower values available required to make up the exact amount of fees.”

Date.....

Signature of Stamp Vendor.

16. Whenever a Treasury Officer or Sub-Treasury Officer or a Vendor finds that the stock of the court fee stamps of a particular value is surplus, he may issue such stamps in preference to court fee stamps of higher value in order to adjust the surplus stock. In every such case the Treasury Officer or Sub-Treasury Officer or Vendor, as the case may be, shall give a certificate stating the value and number of the Court fee stamps required but not issued in order to adjust surplus stock.

17. When one or more impressed court fee stamps of the required value are found to be insufficient to complete a document, so much pie-paper may be used and sub-joined thereto as may be necessary for the completion of such document.

18. Any adhesive court fee stamps used with impressed court fee stamps shall be affixed to the impressed court fee stamps of the highest value employed in denoting the fee.

19. When a Judge holds that a document is insufficiently stamped, and, under the provisions of section 149 of the Code of Civil Procedure, 1908, allows the deficiency to be made, such additional impressed court fee stamps or adhesive court fee stamps or both as are necessary under these rules to represent the amount of the deficiency shall be filed. On each impressed court fee stamp so filed a reference to the insufficiently stamped document shall be endorsed.

20. A document stamped otherwise than in accordance with these rules is not properly stamped within the meaning of section 28.

21. The rules relating to sale of stamps contained in Chapter V of the Rajasthan Stamps Rules shall *mutatis mutandis* apply to the sale of court fee stamps under these rules and the ex-officio and licensed vendors under the Rajasthan Stamp Rules shall be deemed to be vendors of court fee stamps with the same rights and liabilities.

Provided that the provision of rule 34 of the Rajasthan Stamp Rules, 1955 shall not apply to Court fees stamps not exceeding annas -/8/- in value.

22. When a resident in a foreign State, who has obtained a succession certificate under section 382 of the Indian Succession Act, 1925, desires to get the same stamped in accordance with the Act with a view to make it effective in the State, he shall present such certificate before any Collector.

23. When a succession certificate is presented in accordance with rule 22, the Collector shall calculate the court fee leviable thereon, have the requisite court fee stamps affixed thereto and cancel the stamps in accordance with the instructions in force for the cancellation of court fee stamps under the Act.

CHAPTER IV

Renewal and Refunds.

24. A court fee stamp shall be deemed to be damaged or spoiled—

(a) When such stamp or the paper on which it is impressed or fixed has been inadvertently spoiled, obliterated or by any means rendered permanently unfit for use, whether the said paper be written on or not, or

(b) When by reason of some material error in the writing or copying of a stamped document it has become of no avail, or

(c) When the purpose intended to be effected by a stamped document has been effected by some other document duly stamped, or

(d) When by reason of death or other cause the transaction intended to be effected by a stamped document has become impossible of completion, or

(e) When a duly stamped document is returned or rejected on account of any error or informality in the drawing up or signing thereto and such document cannot be used again after removing the defect.

25. Renewal of damaged or spoiled adhesive court fee stamps shall not ordinarily be allowed except when they are use in continuation with impressed court fee stamps.

26. (1) If any person possessed or a damaged or spoiled impressed court fee stamp delivers up the same to the Collector for cancellation and applies for its renewal within six months after the same has become damaged or spoiled, the Collector may, if satisfied of the sufficiency of the grounds of the application, cancel and renew such stamp.

(2) For the purposes of this rule the renewal of a damaged or spoiled court fee stamp means the supply in lieu thereof, if a fresh stamp or stamps of a similar kind and equal value, or, if required and the Collector thinks fit, court fee stamps of any other description to the same amount in value.

27. (1) When any person has in his possession impressed court fee stamps for which he has no immediate use or which have been spoiled or rendered useless for the purpose intended or when any person has in his possession 4 or more adhesive court fee stamps of denominations below five rupees or two or more adhesive court fee stamps of higher denominations which have not been detached from each other and for which he has no immediate use, the Collector shall on application refund the value of such stamps deducting one anna in the rupee, provided that such person delivers the stamps to the Collector for being cancelled and proves to his satisfaction that they were purchased with the *bona fide* intention to use them, that full price thereof has been paid and that they were purchased, spoiled or rendered useless within the period of six months preceding the date on which they are so delivered.

(2) Refund may be allowed in a case in which a plaint for filing a suit has been written on impressed court fee stamp or stamps but has not been presented to the Court.

(3) The State Government may in special cases allow refund in respect of impressed or adhesive court fee stamps provi-

ded an application is made within one year from the date of purchase of such stamps or in the case of stamps which are spoiled or rendered useless, from the date on which they were spoiled or rendered useless.

28. The Chief Controlling Revenue Authority may sanction the refund or renewal of detached adhesive court fee stamps in cases of special hardship deducting one anna in the rupee, provided an application is made within the period prescribed in sub-rule (1) of rule 27.

29. When adhesive court fee stamps are affixed to the impressed court fee stamps in accordance with the directions contained in these rules, such adhesive stamps shall be regarded as impressed court fee stamps for the purpose of refund under these rules.

30. Orders of refund or renewal should be recorded on the Stamp. The procedure laid down in Chapter VI of the Rajasthan Stamp Rules, with regard to the refunds and renewals of non-judicial stamps shall apply *mutatis mutandis* to refunds or renewals under these rules.

CHAPTDR V

Rules as to cancellation of Stamps.

31. *Punching and cancellation of stamps.*—(1) Each Presiding Officer, should under section 30 of the Court Fees Act, 1870 as adapted to Rajasthan, formally appoint an officer for the purpose of cancellation stamps. That Officer, who should ordinarily be the reader for documents filed in court and the Musarim (or other ministerial officer authorised to receive any applications for documents presented before him, shall personally attend to, and be personally responsible for, the strict fulfilment of the duty of receiving documents to be filed, examining the correctness and adequacy of the stamps attached thereto and immediately cancelling such stamps as are required by section 30 of the Court Fees Act. There is no objection to the ministerial officer appointed employing trust-worthy subordinates to do the mere manual work of cancelling the stamps, subject to the approval of the court, but it will be on the distinct understanding that that officer shall be personally responsible for the due execution of the duty and for any defalcation or fraud that may occur in connection with it.

Note.—(1) The presiding officer should see that punching is done immediately in presentation of the petitions and other documents in court.

(2) A rubber stamp in the following form shall also be used;

| |
|---|
| <p>CANCELLED</p> <p>date</p> |
|---|

It should be applied across the adhesive stamps and upon the paper on either side of it but not in such a way as to obliterate the entries thereon or to render the detection of forgeries more difficult.

(2) Too strict a compliance with the provisions of section 30 of the Court fees Act cannot be enjoined. In all cases it should be carefully seen that the court fee stamps are punched out, that the pieces are destroyed, and the stamps registered before the documents to which the stamps are attached are filed or acted upon.

(3) Every presiding officer should inspect and test the work of his officers from time to time so as to ensure attention to their duty and to limit opportunities for fraud. A very efficient check could be kept on any attempt to defraud Government, if each Presiding Officer examines daily some of the record he handles and if he also examines periodically bundles of records of cases, dealt with by him, taken out at random from the shelves in which the are placed.

32. *Aggregate value and number of stamps to be noted.*—The official entrusted with the work of cancellation and first punching of court fee labels and impressed stamps shall legibly record on the document, below the stamps, the aggregate value and number of the stamps used to denote each separate fee.

When two or more impressed stamps are used, the official concerned shall record the aggregate value and number of stamps on the first sheet and on the other sheets he shall make a note that it forms part of that particular document.

33. *First punching of labels on copies etc.*—The Court or office issuing copies, certificates or other similar documents liable to stamp duty shall, before issue, cancel the labels affixed to them by punching out a portion of the label in such a manner as not to remove that part of the label upon which its value is expressed.

A portion of the stamp on the left side shall be punched out by the officer on the issue of the copy, translation, certificate, probate or letters of administration. On the filling of the document, a second hole shall be punched in the stamps in the manner prescribed by these rules.

34. *Destruction of pieces punched out.*—The portion of the stamp removed by the punching prescribed in rules 31 and 33 shall be burnt or otherwise destroyed by the officer charged with the duty of punching it out.

35. *Forgery of stamps to be reported to Government.*—The presiding officer of every Court shall report immediately to, the

State Government, through the Inspector General of Stamps and Registration, Rajasthan, any instance of forgery or fraudulent use of any description of stamps, whether general, Judicial, postal or telegraph coming to his notice. Such report shall be accompanied by full particulars as to the nature of the forgery or fraud perpetrated, and if possible, by specimens.

By Order of the Governor,
S. P. SINGH BHANDARI,
Secretary to the Government.

Rajasthan Court Fees & Suits Valuation Rules, 1961.

AMENDMENT

In the said rules, in rule 4, the existing Explanation should be numbered as Explanation I and after the Explanation as numbered, the following new Explanation shall be added, namely:—

“II. The adhesive court fee stamps of George VI series of the denomination of Re. 1/2/- (Rupee one and annas two) only superimposed with the figures and words denoting the new denomination of 0.25 paise (Twenty five paise) and the word “Rajasthan” shall be deemed to have been issued by the Government for being used for the changed denomination, for the purposes of the Act and these rules”.

[Pub. in Raj. Gaz. Ex. 4(Ga)—Dt. 25.6.65—Page 185]

Notification No. F. 2 (2) E & T/61.—In exercise of the powers conferred by section 65 of the Rajasthan Court Fees and Suits Valuation Act, 1961 (Rajasthan Act 23 of 1961), the State Government hereby remits, in whole of the State, the fee chargeable on a process issued on an information given by a Sarpanch, Panch or Patwari under the provisions of the Rajasthan Prevention of Mrityu Bhoj Act, 1960 (Rajasthan Act 1 of 1960).

[Finance (Revenue and Economic Affairs) Department (Rev. Sec.) Notification dated 16.1.64 published in Rajasthan Gazette-Part IV (Ga) dated 20.2.64 page 671 (18).]

Finance (Rev. & Eco. Affairs) Department
(Revenue Section)

Jaipur, July 17, 1964.

Notification No. F. 2 (16) FD/RT/64.—In exercise of the powers conferred by section 65 of the Rajasthan Court Fees and Suits Valuation Act, 1961 (Rajasthan Act 23 of 1961), the State Government hereby remits in the whole of territory of this State the Court fee chargeable on miscellaneous applications under the said Act, submitted by gold-smith to Magistrates for the issue of certificates of their being bonafide gold-smiths.

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 1.10.64—Page 431]

Finance (Rev. & Eco. Affairs) Department
Revenue (Section)

Jaipur, August 15, 1964.

Notification No. F. 2 (17) FD/RT/64.—In exercise of the powers conferred by section 65 of the Rajasthan Court Fees and Suits Valuation Act, 1961 (Rajasthan Act 23 of 1961), the State Government hereby remits the Court fees in the whole of the territory of this State, chargeable under Article 11(f) of the second schedule annexed to the said Act, on applications presented by the members of the Scheduled Caste and the Scheduled Tribes for grant of caste certificates.

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 1.10.64—Page 432]

Notifications under

Rajasthan Court Fees and Suits Valuation Act, 1961

Published in Raj. Raj-patra part IV (c) dated October 25, 1961 at pages

Excise and Taxation Department

NOTIFICATION

Jaipur, October 25, 1961.

No. F. 5 (108) Ed&T/58.—In exercise of the powers conferred by sub-section (3) of section 1 of the Rajasthan Court Fees and Suits Valuation Act, 1961 (23 of 1961), the State Government hereby appoints 1st November, 1961 as the date on which the said Act shall come into force.

By Order of the Governor,
S. P. SINGH BHANDARI.
Secretary to the Government.

Rules and Notifications under

CRIMINAL PROCEDURE CODE, 1898. (CENTRAL ACT
No. 5 OF 1898).

RAJASTHAN

Special Criminal Courts Rules, 1949

JUDICIAL DEPARTMENT.
NOTIFICATION.

Jaipur, December 30, 1949.

No. F-1-(79)/Jud./49.—In exercise of the power conferred by section 11 of the Rajasthan Special Criminal Courts Ordinance, 1949, the Government of the United State of Rajasthan is pleased to make the following Rules, namely:—

1. These Rules may be called the Rajasthan Special Criminal Courts Rules, 1949.

these Rules—

(a) 'Ordinance' means the Rajasthan Special Criminal Courts Ordinance, 1949 (No. XLIV. of 1949),
and

(b) "Special Criminal Court" means a Special Criminal Court constituted under section 3 of the Ordinance.

3. A Special Criminal Court shall sit at such times as the presiding Judge thereof shall determine.

4. If the presiding Judge of a Special Criminal Court is for any reason unable to perform the duties of his office, the trial of any accused person shall be stayed until some other person is duly appointed by the Government under section 4 of the Ordinance to be the presiding officer thereof.

5. For the purposes of the inspection of, and grant of copies of, its records and the fees for such inspection and grant, a Special Criminal Court shall be governed by the rules for the time being obtaining for the records of a Court of Session.

PRABHU DAYAL LOIWAL,

*Law Secretary and Legal Remembrancer
to the Government of United State
of Rajasthan, Jaipur.*

These rules have been first published in Rajasthan Raj-patra extraordinary vol. I No. 141 Dated Dec. 31st 1949 at page 2.

RULES FOR PAYMENT TO WITNESSES IN CRIMINAL COURTS

Jaipur, January 6, 1951.

No. F. 21 (250). Jud./49.—In exercise of the powers conferred by section 544 of the Code of Criminal Procedure, 1898, as adapted to Rajasthan, the Government of Rajasthan is pleased to make the following rules relating to the payment of expenses to witnesses in Criminal Courts:—

Notes

Section 544 of the Code of Criminal Procedure, 1898 (Act No. V of 1898) provides that,—Subject to any rules made by the State Government, any Criminal Court may, if it thinks fit, order payment, on the part of Government, of the reasonable expenses of any complainant or witness attending for the purposes of any inquiry, trial or other proceeding before such Court under this Code.

These rules have been framed in exercise of the powers conferred by this section.

1. *Cases in which Government is to pay the expenses.*—The Criminal Courts are authorised to pay at the rates specified below, the expenses of complainants or witnesses,—

(1) in cases in which the prosecution is instituted or carried on by or under the orders or with the sanction of the Government, or of any Judge, Magistrate, or any other public officer or in which it shall appear to the presiding officer to be directly in furtherance of the interests of the public service;

(2) in all cases entered in column 5 of Schedule II appended to the Code of Criminal Procedure and not bailable;

(3) in all cases which are cognisable by the Police, and

Notes

A cognizable case, according to definition given in clause (f) of sub-section (1) of section 4 of the Criminal Procedure Code, means a case in which a police officer may, in accordance with the second schedule of the Code or under any law for the time being in force, arrest without warrant. The reference of arrest without warrant is given in column 3 of the schedule second appended to the Code.

(4) in all cases in which they are compelled by the Magistrate of his own motion, to attend under section 540, of the Code of Criminal Procedure.

Provided that in cases falling under clause (2) or clause (3) which are not covered by clause (1), payment of expenses by the Government shall be ordered only in exceptional circumstances and for reasons to be recorded in writing.

Notes

Section 540 of the Criminal Procedure Code authorises any Court to examine any person if his evidence appears to it essential to the just decision of the case. Such persons are ordinarily termed as court witnesses and this rule requires the payment of expenses to them on the Part of the Government.

The rules have been first published in Rajasthan Raj-patra dated Feb., 24, 1951 in Part IV (b) at page 505.

2. *Expenses of Witnesses in Summons Cases.*—No payment shall be made by Government to witnesses summoned at the instance of the complainant under section 244 of the Code of Criminal Procedure, unless the prosecution appears to the Magistrate to be in furtherance of the interests of public justice; but under this section the Magistrate may require the complainant to pay their expenses.

Notes.

This rule is in pursuance of requirements of sub-section (3) read with sub-section (2) of section 244 of the Criminal Procedure Code which provides procedure for summons case trial.

The said sub-section (2) and (3) read as under,—(2) The Magistrate may, if he thinks fit, on the application of the complainant or accused, issue a summons to any witness directing him to attend or to produce any document or other thing.

(3) The Magistrate may, before summoning any witness on such application, require that his reasonable expenses, incurred in attending for the purposes of the trial, be deposited in Court.

3. *Expenses of Witnesses in Criminal Cases.*—The expenses of witnesses shall like ordinary contingent expenditure be met by the Court out of its permanent advance, the expenditure on this account being recouped when necessary from the appropriate grant.

4 *Rates of Expenses.*—(1) The following are authorised rates of diet allowance to be paid to witnesses:—

(a) for the ordinary class, Re. 1/8/- per diem.

(b) for witnesses of superior rank, a diet allowance according to circumstances upto a limit of Rs. 3/-per diem.

Notes.

The above clause (1) stands in the amended form in accordance with the amendments appended to these rules.

(2) Diet-money shall be paid for the days of actual detention as well as for the time occupied in the journeys to and from the court. The number of days which should be allowed for the journey to and from will be determined by the officer ordering payment in each case.

(3) Travelling expenses shall be given at the following rates:—

(a) when the journey is by road and performed in a hired conveyance or his own conveyance the actual expenses incurred up to a maximum limit of four annas a mile or in the case of witnesses of superior ranks, up to six annas a mile. In towns where licensed hackney carriages ply for hire the actual cost of hiring a vehicle suited to the rank of a witness may be allowed if, in the opinion of the Court, the use of such vehicle was necessary;

Notes

The above clause (3) stands in the amended form in accordance with the amendments appended to these rules.

(aa) when the journey is performed on foot, road mileage at -/1/- per mile.

Notes

The clause (3) (aa) stands in amended form in accordance with the amendments appended to these rules.

- (b) where the journey is wholly or partly by rail—
 (i) generally, railway fare by the lowest class,
 (ii) for witnesses of higher rank, Second or First Class railway fare according to circumstances.

Notes.

This Clause (3) (b) (ii) stands in amended form in accordance with the amendments appended to these rules.

Note 1. Expenses of minor's attendant.—When a minor of tender age is required to attend Court as a witness and such witness cannot safely travel alone, the attendant who accompanies the minor may also be paid expenses at the ordinary rates prescribed for witnesses.

Note 2. Discretion of Courts.—These rules intentionally allow the Criminal Courts a discretion as to the payment of witnesses. The circumstances of cases differ, and there are many criminal proceedings in which the prosecution is not called for on public grounds. It is not in every case that the State has undertaken and is bound to provide the cost of the prosecution. In many instances moreover, witnesses live at such a short distance from the Court that their being summoned to give evidence cannot be considered to entitle them to remuneration. At the same time, doubtful cases should be interpreted liberally, and in no case should it happen that complainants and witnesses who have been put to trouble and inconvenience in the prosecution of offenders, should be denied their legitimate expenses.

5. *Payment should be made personally by the Court and without delay.*—It is the duty of the Magistrate to ascertain in each case how far the witness has to travel to and from the court and how many days it takes the witness to travel to the court to give evidence and to return to his home. Every endeavour should be made to avoid delay in payment of the expenses of witnesses. As soon as the evidence of the prosecution witnesses in cases launched by the State has been recorded the Magistrate should have the memorandum of costs of witnesses made out and forwarded to the Nazir from whom he should receive and personally disburse the amount to the witnesses before leaving the Court.

6. *Expenses of Government Servants.*—(1) An officer of the Government who is summoned to give evidence of facts which have come to his knowledge or of matters with which he has had to deal in his public capacity in a criminal case (including a case before a Court Martial) is entitled to draw travelling allowance from Government. Accordingly, the Courts should not grant to Government Officers except in the two cases mentioned below fees or expenses which may have been deposited in such cases for their travelling and halting or subsistence allowances. The amount should be credited to Government under the head "XXI Administration of Justice—Miscellaneous Fees and Fines". In the case of employees of the Cent-

ral Government or a State Railway or any other Commercial Department of Government, however sums deposited for diet money will be credited in the Treasury to the credit of the Government concerned *i.e.* Central Railway, or any other Commercial Department or Government as the case may be.

Exception (i) When a Government servant is summoned to give evidence at a Court situated not more than 5 miles from his headquarters or to give evidence of facts which came to his knowledge in his private capacity and is, therefore, not entitled to any travelling allowance under the ordinary rules from Government—the Court may, if it considers necessary, pay him the actual travelling expenses incurred.

Exception (ii) When the salary of the Government servant summoned does not exceed Rs. 35/- per mensem such official may receive his expenses from the Court.

(2) The practice of requiring the parties to pay the subsistence allowance of a Government servant at the rate of pay of official concerned is illegal. A Government servant is entitled only to his subsistence allowance at the rate prescribed above for other witnesses.

(3) *Court Certificate.*—In all cases in which an officer of Government is summoned to give evidence the Court should give him a certificate in the following form (A) specifying the dates on which the officer was required to attend and the amount, if any, paid by the Court. The certificate will be [attached] by the officer concerned to any travelling allowance bill which he may submit under the rules quoted above. A copy of the certificate should invariably be endorsed to the Head of the Department concerned for his information.

A

Form of certificate to be given by the Court to an officer of Government summoned to give evidence at a Court.

In the Court of the in the
..... District.

1. Certified that..... *was summoned to give evidence in this Court in his public/private capacity in the case of and was required to attend for a period of days, that is, from the to the.....

* *2. He was paid the following amounts in accordance with the rules of the Court:—

3. The amount of.... as his diet-money has been/will be deposited in the local Treasury/Sub Treasury on (date)

*Here enter the name and official designation of the officer.

* * To be cut out when nothing is paid.

* * Paragraph 2 is only required in the following cases, namely:—

Note 1. In cases in which Government servants have to give evidence at a Court situated not more than 5 miles from their headquarters or in their private capacity actual travelling expenses incurred by them may, when the Court considers it necessary be paid to them.

Note 2. A Government servant whose salary does not exceed Rs 10/- per mensem may receive his expenses from the Court.

7. *Expenses of persons subject to Military Travelling Allowance Rules.*—Individuals subject to the military Travelling allowance rules when they are detailed or summoned either as witnesses or accused to attend a Civil Court in a criminal case, are entitled to payment of travelling expenses by the Court only when they are not entitled to free conveyance at the expense of the Army under paragraph 201-II of passage Regulations, India, which is reproduced as under:—

Paragraph 201-II. Witnesses attending Civil Courts.—An individual detailed or summoned either as a witness or as an accused to attend a Civil Court in a criminal case involving the interests of the State, provided that in the case of a witness the facts as to which he is to give evidence have come to his knowledge in the discharge of his public duties, will be entitled to free conveyance. When such conveyance is provided, a witness may not accept any payment on account of travelling or subsistence allowance from the Court. Any fees which may be deposited in the Court for the travelling and subsistence allowance of the witness must be credited to Government. If the Court in which he gives evidence is situated within 5 miles (or 10 miles in the case of a mounted officer) of his headquarters and no travelling allowance is, therefore admissible for the journey, he may, if he be not in receipt of permanent travelling allowance, accept such payment of actual travelling expenses as the Court may make.

Note 1. An individual summoned to give evidence while on leave is entitled to conveyance as if he were on duty from and to the place at which he is summoned.

Note 2. When a witness attends a Civil Court in his private capacity, he is only entitled to such travelling and subsistence allowance as are admissible in accordance with the rules of the Court. If the Court pays him any sum as subsistence allowance or compensation, apart from travelling expenses, he must credit that sum to Government before drawing full pay for the day or days of absence. An individual ordinarily eligible to travel on warrant will be entitled to receive advance of travelling expenses for both the forward and return journeys which will be refunded as soon as such charges are paid to him by the court.

8. *Expenses of a Civil Surgeon.*—(1) The attendance of the [Principal Medical Officer or District Medical and Health Officer] at the Criminal Courts of the station for the purpose of giving evidence, is one of his ordinary official duties and he is not entitled to claim nor are the Courts authorised to grant, a fee for this duty. When a [Principal Medical Officer or District Medical and Health Officer] is required to proceed more than five miles beyond the limits of his station, he is entitled to travelling allowance under the ordinary rules relating to such allowances.

(2) [Civil Assistant Surgeons Class I] and [Civil Assistant Surgeons Class II] should, when summoned to attend a Court in their official capacity, be paid the actual expenses incurred by them on account of carriage hire, when their attendance in Court entails such expenditure.

9. *Experts.*—In regard to witness summoned as "Experts" a fee, having reasonable relation to the loss of income, inconvenience and trouble occasioned should be fixed. But it must be remembered that a witness ought not to be classed as "Expert" merely on the strength of cross-examination. The nature of the evidence is to be determined by the facts to which a witness testifies in examination-in-chief. If they are facts relating to circumstances observed by a person in his or her ordinary capacity the evidence given is ordinary evidence if they are conclusions drawn by professional witnesses from hypothetical facts not within their special knowledge, or if the conclusions are based on a professional examination, the evidence given is expert evidence. The line taken in Cross-examination to test the accuracy of conclusions drawn from facts observed has nothing to do with the nature of the evidence given.

9 A. These Rules shall also extend to the Abu, Ajmer and sunel areas; and the corresponding Rules in force in the said areas, stand superseded.

Notes.

This rule has been newly added as per amendments appended to these rules.

By Order of
His Highness the Rajpramukh,
PRABHU DAYAL LOIWAL,
Secretary to the
Government of Rajasthan,
Judicial Department.

HISTORY OF AMENDMENTS

| No. | Rule | Notification No. | Gazette Ref. |
|-----|-------|---|----------------------|
| 1. | 4 (1) | F. 21 (250) Jud./49 dated 13/8/56. | 11/10/56 Part IV (c) |
| 2. | 4 (3) | —do— | —do— |
| 3 | 9. A | 4608/F.3 (6) L.J /B/57 dated 17/10/57. | 31/11/57 Part IV (c) |

Previous Convicts (Notification of Residence) Rules, 1958.

Jaipur, May 7, 1958.

No. D. 3572/58/F: 12/(9) (18) Home (A)/56.—In exercise of the powers conferred by sub-section (3) of section 565 of the Code of Criminal Procedure, 1898 (Act No. V of 1898), the Government of Rajasthan does hereby make the following rules, namely:—

Commentary

Section 565 of the Code of Criminal Procedure, 1898 (Act No. V of 1898) requiring an order for notifying address previously convicted offender provides that,

(1) When any person having been convicted—

(a) by a Court in India of an offence punishable under section 215, section 489-A, section 489-B, section 489-C, or section 489-D of the Indian Penal Code (Act XLV of 1860); or of any offence punishable under Chapter XII or Chapter XVII of that Code, with imprisonment of either description for a term of three years or upwards; or

(b) before the 26th day of January, 1950, by a Court or Tribunal in any Indian State acting under the general or special authority of the Central Government or of the Crown Representative, of any offence which would, if committed in India, have been punishable under any of the aforesaid sections or Chapters of the Indian Penal Code (Act XLV of 1860) with like imprisonment for a like term;

is again convicted of any offence punishable under any of those sections or Chapters with imprisonment for a term of three years or upwards by a High Court, Court of Session, Presidency Magistrate, District Magistrate, Sub-divisional Magistrate or Magistrate of the first class, such Court or Magistrate may, if it or he thinks fit, at the time of passing sentence of imprisonment on such person, also order that his residence and any change of or absence from such residence after release be notified as hereinafter provided for a term not exceeding five years from the date of the expiration of such sentence.

(2) If such conviction is set aside on appeal or otherwise, such order shall become void.

(3) The State Government may make rules to carry out the provisions of this section relating to the notification of residence or change of or absence from residence by released convicts.

(4) An order under this section may also be made by an Appellate Court or by the High Court when exercising its powers of revision.

(5) Any person charged with a breach of any such rule may be tried by a Magistrate of competent jurisdiction in the district in which the place last notified by him as his place of residence is situated.

Sub-section (III) of this section authorises a State Government to make rules for this purpose of this section. The State of Rajasthan have, therefore, framed these rules in exercise of the powers conferred by the said sub-section.

1. These rules may be called the Previous Convicts (Notification of Residence) Rules, 1958 and they shall come into force immediately on publication in Rajasthan Gazette.

These rules have been first published in Rajasthan Raj-patra, dated July 17, 1958 in Part IV (c) at page 651.

2. These rules supersede all previous instructions and rules prevalent in any part of Rajasthan in so far as they are inconsistent with these rules.

3. In these rules the 'form' means the form appended to these rules.

4. When a Court or Magistrate makes an order under section 565 (1) of the Code of Criminal Procedure that the sentenced persons residence and any change of or absence from such residence after his release shall be notified, such Court or Magistrate shall inform the Superintendent of Prison in which the convict is or is to be confined by attaching a copy of such order to the warrant issued under section 383 of the Code. The Superintendent of Police of the district wherein the offence for which the offender is convicted was committed shall also be informed of the order passed by such Court or Magistrate.

Commentary

The rules require communication of order under sub-section (i) of section 565 of Criminal Procedure Code to the Superintendent of Prison and Superintendent of Police. The information of the order to the Superintendent of prison is required to be sent with the warrant for the execution of sentences under section 383 of the Code.

5. On the release of the convict in accordance with the rules for release of prisoners made by the State Government under clause (t) of section 60 of the Indian Prisons Act, 1894, the convict shall be taken by a Police Officer authorised in this behalf by the District Superintendent of Police to the Officer incharge of the Police Station at the Headquarters of the District. The Officer-in-Charge of that Police Station shall thereupon produce the convict before a Magistrate authorised by the District Magistrate in this behalf. The Magistrate shall question the convict regarding the intended place of residence and explain to the convict the instructions which the said convict is bound to observe as well as the penalties attached to any infringement thereof. After satisfying himself that the convict understands the instructions, the Magistrate shall give the convict a copy of the instructions in form appended to these rules duly filled in, obtain the convict's signature or thumb impressions as the case be, on a duplicate copy thereof and deliver the duplicate copy to the said Police Officer. The convict shall then be at liberty to proceed to his intended place of residence.

6. The duplicate copy of the instructions shall be at once forwarded by the Officer-in-Charge of the Police Station at the district headquarters to the Officer-in-Charge of the Police Station within whose jurisdiction the convict on release has notified his intention to reside with an intimation of the time and date of the convict's release.

7. The Officer-in-charge of the Police Station within whose jurisdiction the ex-convict takes up his residence shall note, on the

duplicate form as well as on the ex-convict's copy of the Form, the time and the date on which the ex-convict reports his arrival at the Police Station. The duplicate form shall be retained on the record of the Police Station and thereafter the Officer-in-Charge of the Police Station within whose jurisdiction the ex-convict resides shall enter in the Form both in his own copy and that in the possession of the ex-convict, all temporary periods of absence notified by the ex-convict before the latter's departure on such journeys.

8. Every person against whom an order has been made under section 565 (1) of the Code shall report his residence and any change of or absence for a period longer than 24 consecutive hours from such residence after his release to the authorities in the manner and within the time prescribed in the instructions contained in the said form.

9. If the ex-convict notifies a permanent change of residence, the Officer-in-Charge of the Police Station shall enter on the Form in the possession of the ex-convict as well as on the duplicate copy of his own record the time and date of the ex-convict's departure as notified by him and shall then forward the Duplicate Form to the Officer-in-charge of the Police Station within whose jurisdiction the ex-convict has notified his intention to take up his new residence.

APPENDIX

FORM

To,

Whereas an order has been made by the Court of Magistrate under section 565 (1) of the Code of Criminal Procedure, 1898, at the time of passing sentence on you, that you shall notify your residence and any change of or absence from such residence for a term of _____ from the date of your release, and whereas you have notified your desire to reside in the village or/town Police Station _____ District _____ you are hereby directed to observe the following instructions:—

1. Within 48 hours of your arrival at your residence you must report yourself with this form to the Officer-in-Charge of the Police Station within whose jurisdiction your village is situated viz.

Police Station. The said Police Officer will endorse this form that you have given the requisite notification about taking up your residence.

2. You shall not absent yourself from your place of residence for a period longer than 24 consecutive hours without previously notifying the fact the Officer-in-Charge of the said Police Station in the manner provided in the following paragraph.

3. If you desire to remain absent from your residence for a period longer than 24 consecutive hours you must report yourself with this form to the Officer-in-Charge of the said Police Station

and notify to him the place or places you will visit, and the period for which you will be absent. The said Police Officer will endorse on this form that you have notified as required, your intention to be absent. You must not remain absent beyond the period you have notified and, on your return, you must again report yourself within 48 hours to the Officer-in-Charge of the said Police Station and obtain his endorsement on this form.

4. Whenever you are absent from your place of residence for a period exceeding 24 consecutive hours, you must take this form with you and you must produce it for inspection on demand by any Police Officer.

5. If you desire to change your residence permanently you must appear with this form before the Officer-in-Charge of the Police Station within whose jurisdiction you reside and notify to him within a reasonable time before your departure your new place of intended residence and the date and time of your departure. The said Police Officer will make the necessary endorsement on this form to show that you have given due notice of your change of permanent residence.

6. On arrival at your new place of residence, you must report yourself to the Officer-in-Charge of the Police Station within whose jurisdiction your new residence is situated within 48 hours of your arrival, and present to him this form for his inspection and endorsement.

7. You shall be subject to the above rules for a period of years.

8. For any omission on your part to comply with the above rules, you are liable to simple imprisonment for a term which may extend to six months or to fine which may extend to Rs. 1000/-or with both under section 176 (third part) of the Indian Penal Code.

Read over and explained to the convict.

Signed.....Magistrate.

Dated... ..195 .

(Signature)
Thumb impression of ex-convict

(REVERSE OF FORM)

Name of ex-convict
his residence for a period of

ordered under
years from

section 565 (1) of the Code of Criminal Procedure, 1898 to notify

| Place of residence & District | Time on which ex-convict reported his arrival at the Police Station and signature of the Officer-in-Charge of the Police Station. | 3 | 4 | 5 | 6 | 7 | 8 |
|-------------------------------|---|---|---|--|---|---|----------|
| | Period of notified temporary absence and places to be visited and signature of the Officer-in-Charge of the Police Station. | | | Date and time of ex-convict's report after return from temporary absence and Signature of the Officer-in-Charge of the Police Station. | Signature and designation of Police Officer to whom the ex-convict reports himself at any place during his temporary absence together with the date and time. | Permanent change of residence, date and time of departure & signature of the Officer-in-Charge of the Police Station. | Remarks. |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |

By Order of the Governor,
C. S. GUPTA,
Secretary to the Government-

CONTENTS

| | Rules | Pages. |
|---|---------|--------|
| I Preliminary | 1-4 | 1-2 |
| II Processes | 5-13 | 2-4 |
| III Preparation of records. | 14-27 | 5-11 |
| IV Trails in Courts of Session and by Jury | 28-35 | 11-13 |
| V Oaths and Affirmations | 36-37 | 13-14 |
| VI The Recording of evidence | 38-39 | 14-14 |
| VII General Provisions regarding trials | 40-47 | 14-16 |
| VIII Submission of Sentence for Confirmation and execution of Sentence | 48-71 | 16-21 |
| IX Appeal and Revision | 72-83 | 22-25 |
| X Preservation of records | 84-92 | 25-28 |
| XI Destruction of records | 93-100 | 28-33 |
| XII Requisitions for records | 101-112 | 34-36 |
| XIII Inspection and Search of records | 113-132 | 36-39 |
| XIV Copies | 133-148 | 40-47 |
| XV Forms | 149-152 | 47-48 |
| XVI Correspondence | 153-172 | 48-52 |
| XVII Registers | 173-180 | 52-56 |
| XVIII Periodical Returns and Reports | 181-194 | 56-60 |
| XIX Petition writers | 195-213 | 60-63 |

APPENDICES

| | |
|--|---------|
| APPENDIX—A. Forms prescribed by the Rules | 64-82 |
| (1) List of forms | 64 |
| (2) Specimens of forms | 65-82 |
| APPENDIX—B. Registers Prescribed by the Rules | 83-104 |
| (1) List of registers | 83-84 |
| (2) Specimen forms of registers | 85-104 |
| APPENDIX—C. Periodical Returns and Reports Prescribed by the Rules. | 105-133 |
| (1) List of Periodical returns and reports | 105-107 |
| (2) Specimen forms of periodical returns and reports | 108-133 |
| APPENDIX—D. List of Printed forms authorised for use in Subordinate Criminal Courts | 134-138 |
| Part I List of forms Prescribed under the Code of Criminal Procedure, 1898. | 134-135 |
| Part II List of forms (General) | 135-136 |
| Part III List of forms of registers | 136-137 |
| Part IV List of forms of Periodical returns and reports | 137-138 |
| Part V Miscellaneous forms | 138 |

APPENDIX--E.

Instructions:—

| | |
|--|-------------|
| (1) Instructions for Keeping of registers. | 138 A-138 P |
| (2) Instructions regarding preparation of Periodical Returns. | 138 H-138 P |

GENERAL RULES (CRIMINAL), 1952

Jodhpur, March 19, 1963.

Notification No. 4/S. R. O.—The High Court with the approval of the Governor of Rajasthan has made the following amendments in the General Rules (Criminal), 1952:—

Amendment No. 27.

Chapter XIII

Inspection and Search of Records.

Rule 117.—The words and figure “in the prescribed form (Ref.5)” appearing in the fifth line of this rule shall be deleted.

Chapter XVIII

Periodical Returns and Reports—

Rule 184.—This rule shall be deleted.

Rule 185.—(a) The word and figure ‘or 6’ in fourth line of this rule shall be deleted.

(b) The figure ‘6’ in para 2 of this rule shall be substituted by figure ‘5’.

Rule 186.—The word and figure ‘or 8’ in the second line of this rule shall be deleted.

Rule 189,—Item (2) of this rule shall be deleted.

Appendix B.

B. (1) List of registers prescribed by the General Rules (Criminal), 1952.

“Item No. 5—Register of Records taken by the Presiding Officer for examination” shall be deleted.

(2) Specimen forms of Registers prescribed by the General Rules (Criminal), 1952. The Specimen form of Register No. 5 shall be deleted.

Appendix C.

C. (1) List of periodical returns and reports prescribed by the General Rules (Criminal), 1952.

The following items shall be deleted:—

- (i) “Item No.4.—A statement showing criminal work done by the Sessions Judge, Additional and Assistant Sessions Judges”.
- (ii) “Item No. 6.—Statement of cases in which there has been delay in the delivery of judgment”.
- (iii) Item No. 8—Statement showing the general result of criminal trials”.

- (iv) "Item No. 21.—Statement showing the use of the juries and Assessors".
- (v) "Item No. 22.—Statement showing women convicted for the murder of their infant children under six years of age".
- C. (1) Specimen forms of periodical returns and reports prescribed by the General Rules (Criminal), 1952

The specimen forms of Returns Nos. 4, 6, 8, 21 and 22 shall be deleted.

(Rajasthan High Court-Part IV (Ga)-dated 22-8-63-Pages 169-173).

Rajasthan High Court, Jodhpur

Corrigendum

Please read as under some errors printed in the Rajasthan Raj-patra, dated 30th July, 1964 Part IV C, at page 267, in amendments in the specimen forms of Returns Nos. 10, 11 and 12 of the General Rules (Criminal), 1952:—

(1) The date of Notification is 19-11-1963 whereas it has been printed as 10-11-1963.

The word "tribunals" in between the words Criminals and in the second line of the heading of Return No. 11 has been omitted.

(3) The word "column No 13" should have been printed in place of "column No. 1" occurring in first line under heading "Return No. 11".

[Pub. in Raj. Gaz. 4 (Ga)-Dt. 11-3-65-Page 806 [75]]

Rajasthan High Court, Jodhpur

Jodhpur, October 6, 1966

Notification No. 4/S. R. O.—The High Court with the approval of the Governor of Rajasthan has made the following amendment in General Rules (Criminal), 1952:—

Amendment No. 2

Chapter XI—Destruction of Records

In rule 93 under clause II, after the words "Every appeal and revision case" the following words shall be added in the next line—

"Every transfer application arising out of a case pending before a Nyaya Panchayat."

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 17-11-66—Page 381] (6)

High Court Rules, (Criminal)

I. Notification No. 3/S.R.O. dated July 3, 1959 issued by the High Court has effected following omissions:—

1. Clause (iv) of rule 188 has been deleted.

2. In appendix 'c', item No. 13 from list of periodical returns and reports prescribed by the General Rules (Criminal) 1952 has been deleted.

Similarly columns number 29, 30 and 31 of return No. 11 have been deleted and likewise Return No. 13 stands deleted.

II. Notification No. 5/S.R.O. dated August 7, 1959 issued by the High Court has effected additions of sub-rules (2) and (3) of rule 7 in Chapter I.

III. Figures 75 nP., 25 nP. and 15 nP. have been substituted for the figures 0-12-0, 0-4-0 and 0-2-0 wherever occurring previously in rule 11 in Chapter I vide Notification No. 8/S.R.O. dated September 19, 1959 issued by the High Court.

IV Present para 1 of rule 61 has been newly substituted for the previous one and rule 63 stands deleted vide Notification No. 2/S.R.O. dated February 26, 1962 issued by the High Court. Previously para 1 of rule 61 stood as under:—

61. *Court Receipt Book*:—Every Court shall be furnished with two court receipt books in the prescribed form (F 14). These books shall be used one in each alternate month; at the end of each month, the book in use during that month shall be transmitted to the officer in charge of the treasury, or, in the case of an outlying court, to the sub-treasury for examination and attestation as provided in rule 63.

GENERAL RULES (Criminal) 1952

NOTIFICATION

Jodhpur, August 14, 1952

No. 28/Gen. :—The High Court of Judicature for Rajasthan, in exercise of the rule making powers conferred upon it by Article 227 of the Constitution of India and all other powers enabling it in that behalf, and with the approval of His Highness the Rajpramukh of Rajasthan, has made the Rules annexed hereto for the guidance of the Criminal Courts subordinate to it.

By Order of the Court,
M. L. RAZDAN,
Registrar.

Commentary.

Article 227 of the Constitution of India empowers the High Court with power of Superintendence over all Courts subordinate to it. The article reads as under :—

(1) Every High Court shall have suprintendence over all courts and tribunals throughout the territories in relation to which it exercises jurisdiction.

(2) Without prejudice to the generality of the foregoing provision, the Highcourt may—

(a) call for returns from such courts;

(b) make and issue general rules and prescribe forms for regulating the practice and proceedings of such courts; and

(c) prescribe forms in which books entries and account shall be kept by the officers of any such courts.

(3) The High Court may also settle tables of fees to be allowed to the sheriff and all clerks and officers of such courts and to attorneys, advocates and pleaders practising therein :

Provided that any rules, made, forms prescribed or tables settled under clause (2) or clause (3) shall not be inconsistent with the provision of any law for the time being in force, and shall require the previous approval of the Governor.

(4) Nothing in this Article shall be deemed to confer on a High Court powers of superintendence over any court or tribunal constituted by or under any law relating to the Armed Forces.

The High Court of Judicature for Rajasthan, in exercise of this power, has made these rules for the guidance of the Criminal Courts subordinate to it.

CHAPTER I

Preliminary.

1. *Title.*—These rules shall be known and cited as the General Rules (Criminal), 1952.

2. *Application.*—These Rules shall come into force on the first day of October, 1952, and shall, so far as may be, apply to all proceedings and matters in all criminal courts subordinate to the High Court commenced on or subsequent to that date, and, so far as may be, to all proceedings and matters pending in such courts on that date.

3. *Former rules cancelled.*—All previous rules or regulations relating to the matters which are provided for in these rules are hereby cancelled:

Provided that nothing in this rule contained shall effect anything done, or to be done, under such rules and orders or any of them prior to the first day of October, 1952.

4. *Definitions.*—In these rules, unless there is anything repugnant in the subject or context:—

- (1) 'Court' means and includes every criminal court subordinate to the High Court of Judicature for Rajasthan.
- (2) 'High Court' means the High Court of Judicature for Rajasthan.

CHAPTER II

Processes.

5. *Contents of process or order*—In every process or order issued or made by a judicial officer, the name and powers of the officer issuing or making it, together with the name of the district and of the court, shall be clearly set out. Every officer signing a process or order shall sign his name legibly. The practice of signing initials only or of using a stamp is forbidden.

5A. In Courts of Sessions, summonses issued to witnesses may be ordinarily signed by the Chief Ministerial Officer with the words "By Order of the Court" prefixed to his signature.

6. *Contents of process or order.*—In every process requiring the appearance or attendance of any person, the day of the month and the hour fixed for such appearance or attendance shall be stated in words and in figures. The place of appearance or attendance shall also be stated.

7. *Contents of process or order*—(1) Every process and order shall be written in Hindi in the Devanagari script, or, if the court so directs, in another language.

(2) When processes or summons (both in civil and criminal cases) are issued in a language other than the official language of the receiving court, such processes or summons should be accompanied by an authorised English translation.

(3) The report from the receiving court to the originating court regarding the service or non-service of the processes or summons should similarly be accompanied by an authorised English translation of the report.

8. *Summons to Government servants.*—Under section 72 (i) of the Criminal Procedure Code, a Summons to be served on a person in the active service of the Government shall ordinarily be sent to the head of the office in which such person is employed.

In the case of an officer or soldier in military employment, the summons should be sent to the officer in command locally of the corps or department in which such person may be serving.

When an officer of the Government is required to attend at a court beyond the limits of the district or area in which he is serving, the court issuing the summons, unless the case is one of extreme urgency, shall allow sufficient time for arrangements to be made for the performance of the duties of such person during his absence.

Commentary.

Sub-section (1) of section 72 of the Code of Criminal Procedure requires that summons on servant of Government of Railway Company shall ordinarily be served through the head of the office in which such person is employed. Rule provides procedure for the purposes of this sub-section.

9. *Notice in case of arrest of Government or Railway servant—*

(1) When circumstances permit, notice of the intended arrest of a Government servant shall be given to the Head of the Office in which the Government servant is working; and in the case of a Government servant working in the Secretariat, to the Chief Secretary to Government, so as to allow proper arrangements to be made to have such person relieved.

(2) Notice of the intended arrest of a person working on a railway in the Service of a contractor shall be given in a similar manner, when circumstances permit, to the contractor.

10. *Processes for execution in foreign countries.*—No legal process of any kind shall be sent for execution in a foreign or Commonwealth country except through the High Court and the Ministry of External Affairs, Government of India.

11. *Process fees*—The fees hereinafter mentioned shall be chargeable for serving and executing processes issued by criminal courts in the case of offences other than offences for which police officers may arrest without a warrant :—

| | |
|---|--------|
| (1) Warrant of arrest — | |
| In respect of each person to be arrested. | 75 nP. |
| (2) Summons — | |
| (a) in respect of one person or the first person | 25 nP. |
| (b) in respect of each additional person | 15 nP. |
| (3) Proclamation for absconding person under section 87 of the Code of Criminal Procedure 1898 | 75 nP. |
| (4) Warrant of attachment — | |
| (a) in respect of the warrant ... | 75 nP. |
| (b) Where it is necessary to place officers in charge of property attached, in respect of each officer so employed per diem, not more than | 75 nP. |

- (5) In cases where an application is made by a complaint for the recovery of fees ordered to be repaid under section 546-A of the Code of Criminal Procedure or of compensation granted under section 545 of the Code of Criminal Procedure, 1898, or where a person applies for the recovery of compensation awarded to him under section 250 of the Code of Criminal Procedure, 1898. In respect of the warrant for the levy of the fees, fine or compensation.

75 nP..

Provided that no fee shall be chargeable on any summons to attend as a Juror or Assessor for the trial of an accused person:

Provided also that no fee shall be chargeable for any process issued upon the complaint or application of any public officer as defined in section 2 of the Code of Civil Procedure when acting as such public officer, or of any railway servant as defined in section 3 of Act No. IX of 1890 when acting as such railway servant or the officer or a servant of a local authority when acting in that capacity:

Provided also that the presiding officer of the court may remit in whole or in part a fee chargeable under this rule, whenever he is satisfied that the person applying for the issue of the process has not the means of paying it.

12. *Process-fee to be prepaid.*—A process shall not be drawn up for execution or service unless the fee chargeable under rule 11 has been paid or has been remitted.

The fee shall be paid in court-fee stamps, which shall be affixed either to the application by which the court is moved to issue the process (in addition to the court-fee chargeable upon the application itself), or if no such application be filed, to a separate sheet of paper giving particulars of the case and also reference to the order by which the court directs the issue of the process.

The fee prescribed in rule 11 (4) (b) shall be paid in cash and shall be disbursed by the Court to meet the expenses incurred.

13. *Certificate of pleader.*—Every application for the issue of process for the attendance of witnesses shall, if the party presenting the application is represented in the case by a legal practitioner, contain a certificate signed by such legal practitioner that he has satisfied himself that the evidence of each of the witnesses is material in the case.

CHAPTER III

Preparation of Records.

14. *Numbering of cases*:—A serial number shall be assigned to each case in each court:—

- (i) in the court of a Magistrate taking cognizance of an offence, as soon as cognizance is taken; but if the case is at once transferred under section 192 of the Code of Criminal Procedure, 1898, it shall not be numbered as a case;

Commentary

Section 192 of the Criminal Procedure Code authorises the District Magistrate or Sub-Divisional Magistrate to transfer any case, of which he has taken cognizance, to any Magistrate subordinate to him. The case so transferred need not be assigned serial number in the transferee Court.

- (ii) in the court of a Magistrate receiving a case by transfer or by submission under section 346 of the Code of Criminal Procedure, 1898, or in a Court of Session receiving a case made over under section 193 (2) of the same Code for trial, as soon as the case is received;

Commentary

The case received by a Magistrate by transfer u/sec. '192 Cr. P. C. or by submission u/sec. 346 Cr. P. C. shall be assigned serial number as soon as the case is received. A case is received by submission u/sec. 346 Cr. P. C. when some subordinate Magistrate finds that he cannot dispose of the same.

- (iii) in a Court of Session receiving a case on commitment or on reference under section 123 of the Code of Criminal Procedure, as soon as notice of the commitment or the record in a case of reference is received.

The number in a regular case shall be the same as that belonging to the case in the register of cases in a Magistrate's Court, or in a court of Session.

A separate series of numbers shall run in each court for cases entered in the register of miscellaneous cases. Every number in this series shall be followed by the letter "m".

A separate series of numbers shall run in each court before which proceedings are laid under section 123 or to which a case is submitted under section 347 or section 349 or section 380 of the Code of Criminal Procedure, 1898. Every number in this series shall be followed by the word "referred".

A separate serial number shall not be given to cases tried summarily. A Court of Session exercising criminal jurisdiction over two or more districts shall keep a separate series of numbers for each district.

A separate file shall not be prepared for each Panchayatnama (inquest report). They shall be entered individually in the register of inquest reports. At the close of each month all reports in which action is complete should be consigned to the record-room in a

monthly bundle, a note being made in the remarks column against each Panchayatnama thus—"Filed in the monthly bundle for the month of.....".

15. *Order Sheet*:—Upon the institution of a case, an order-sheet in the prescribed form (F 1) shall be put up. Upon it shall be recorded—(i) every routine order passed by the court in the case, (ii) a note of every other order passed, (including every order regarding a document produced before the court), (iii) a note of the date of each hearing, attendance of parties, the names of the pleaders appearing and the proceedings on that date. An order, the reasons for which require to be recorded at length, shall not be written on the order-sheet, but a note of the order, and of the date on which it was made, shall be entered on it. Every entry upon the order-sheet shall be signed by the presiding officer.

16. *General Index*:—(a) Upon the institution of a case, a general index in the prescribed form (F 2) shall be put up. In it shall be entered a note of every paper or document as it is brought upon the record. When a paper is removed from the record, a note of the fact shall at once be made in the general index and the appropriate index of exhibits against the entry of that paper.

(b) Upon the institution of a case, an index of prosecution exhibits, an index of defence exhibits and an index of material exhibits in the prescribed form (F 3) shall also be put up. Every document, or material exhibit which is admitted in evidence as an exhibit, shall be entered with its exhibit number in the appropriate index of exhibits. When a document or article admitted as an exhibit is subsequently rejected or returned, or otherwise ceases to be an exhibit, a note of the fact shall at once be made in the appropriate index of exhibits against the entry of that document or article, and in the case of a document, also in the general index against the entry of that document.

(c) There shall be one file of exhibits and this shall remain in tact. It will be opened in the Magisterial Court and will remain a single exhibit file even in the Court of Session. If the Sessions Court adds any exhibits which were not before the Magisterial Court, it will place the exhibit in the exhibit file giving it a serial number or letter after those exhausted in the Magisterial Court.

17. *Contents of Record*:—The record shall include every paper in the case from the information on which cognizance was first taken up to and including the warrant returned under section 400 of the Code of Criminal Procedure, 1898.

Commentary

Section 400 of the Code of Criminal Procedure requires that, "When a sentence has been fully executed, the officer executing it shall return

the warrant to the Court from which it issued, with an endorsement under his hand certifying the manner in which the sentence has been executed."

The record of the Criminal Case shall contain all papers till the return of warrant referred in section +00.

18. *Form of Record*:—All pleadings, applications and petitions of whatsoever nature except those presented by a prisoner or other person in duress or under restraint of any court or its officers, filed in the course of Criminal Judicial proceedings, shall be written in a legible hand or type-written on Government water-marked paper.

Only one side of the paper shall be used, and a quarter margin, together with at least one inch of space at the top and bottom of each sheet, shall be allowed.

Every application or petition shall at the time of presentation bear the name of the person actually presenting the same together with the date of presentation.

Notwithstanding anything contained in the foregoing paragraphs, the Court may, when necessary, permit any other paper of foolscap size to be used for the purpose. .

19. *Impounded documents*:—When a document or a material exhibit produced before a court is impounded a note recording that it has been impounded shall forthwith be made upon it or attached to it, and shall be signed by the presiding officer; and such document or other thing shall not be allowed to pass out of the custody of the court, save by written order of the court.

20. *Marking of exhibits*:—(a) Upon every document produced and admitted in evidence before a court shall be clearly marked the number it bears in the general index of the case and the number and name of the case and of the Police Station.

(b) The Court shall mark the documents admitted in evidence on behalf of the prosecution with the letter P and a numeral in the order in which they are admitted, thus:—

Ex. P 1, Ex. P 2, Ex. P 3 etc., and the documents admitted on behalf of the defence with the letter D and a numeral, thus:—
Ex. D 1, Ex. D 2 Ex. D 3 etc.

(c) In the same manner every material exhibit admitted in evidence shall be marked with numerals in serial order viz., 1, 2, 3.....

Ex. 1, Ex. 2, Ex. 3 etc.

(d) All exhibit marks on documents, and material exhibits shall be initialled by Judge/ Magistrate.

(e) No document or material exhibit which has been admitted in evidence and exhibited shall be returned or destroyed until the period for appeal has expired or until the appeal has been disposed of, if an appeal be preferred against the conviction and sentence.

(f) Documents or material exhibits which have not been admitted in evidence should not be made part of the record, but should be returned to the party by whom they have been produced.

21. *Duties of Officer Incharge of record*:—The Officer for the time-being in charge of the records shall—

- (a) enter on the general index every paper as it is filed with the record;
- (b) punch out the figure head of each court-fee stamp upon such paper, and record below the stamps the aggregate number and value of stamps used to denote each separate fee;
- (c) certify in the general index the state of any exhibit filed, noticing any erasures or interlineations therein;
- (d) take the orders of the court, if necessary, as to the correct entry to be made under the above clause.

22. *Parts A and B in Records*:—Every paper as it is brought on to the record shall be marked as belonging to either Part A or B. Part A shall include the following papers:—

- (1) Record of statement or confession (Section 164), plea (Section 271), and examination (sections 342 and 364 of the Code of Criminal Procedure, 1898) of the accused.
- (2) Proceeding on which cognizance was first taken, Police report, etc. (section 190).
- (3) Charge and altered charge.
- (4) Order consenting to the withdrawal or stay of charge (sections 240 and 494).
- (5) Sentence.
- (6) Record in summary trial.
- (7) Heads of charge to jury.
- (8) Verdict and amended verdict.
- (9) Record of opinions of assessors.
- (10) Record of proceedings under Section 310.
- (11) Record of composition of an offence (Section 345).
- (12) Record of evidence.
- (13) Judgment.
- (14) Copy of High Court's order regarding a sentence of death (Section 379).
- (15) Warrant or other paper returned on execution of sentence.
- (16) Copy of order commuting a sentence, or suspending the execution thereof, or remitting punishment.
- (17) Petition of appeal or application for revision.
- (18) Copy of judgment or order in appeal or revision.
- (19) Certificate of judgment or order in appeal or revision.
- (20) Commission with return thereto and deposition.
- (21) Deposition of Medical witness.

- (22) Report of Chemical Examiner.
- (23) Proof of previous conviction.
- (24) Order for disposal of property (Chapter XLIII).
- (25) Order of transfer.
- (26) Order-sheets.
- (27) General Index.
- (28) Treasury receipts.
- (29) File of exhibits including indexes of exhibits.
- (30) Bonds under sections 106, 107, 108, 109, 110 and 562 of the Code of Criminal Procedure.
- (31) Papers relating to the identification of the accused person in the jail or elsewhere.
- (32) Papers relating to the identification of stolen property.
- (33) Map of the locality placed on the file of a case.

Part B shall include every other paper in the record unless, for reasons to be stated thereon in writing, the court orders any such paper to be placed in part A.

In any case in which a proceeding belonging to part A and a proceeding belonging to part B are recorded on one and the same paper, the paper shall belong to part A.

The arrangement of papers in the record shall be in the order of the serial numbers of the papers in the general index.

23. *Return of exhibits*.—A notice shall be fixed up in a conspicuous part of every court-house giving warning that if an exhibit which has been filed in a case is left in a court, it will be kept there at the owner's risk. Before making an order for the return of an exhibit, the court shall consider whether it is expedient to return it; whether if returned, a copy should be required in its place; and, if so, whether the copy should be prepared at the expense of the person to whom the exhibit is returned, or at the expense of the Government.

24. *Record of Appeal or Revision*.—A copy of a judgment or order appealed against accompanying a petition of appeal, and a copy of any order, sentence, finding or other proceeding filed with an application for revision of such order, sentence, finding or other proceeding shall remain with the record of appellate or revisional court and shall not be returned.

25. *Title page*.—A cover or title page in the prescribed form (F 4) shall be placed over the record of every case.

26. *Use of documents exhibited in another record*.—When a document in any record is made an exhibit in another record, civil or criminal, and is removed to that record, a certified copy of the document shall be retained in the record from which the document is removed, and a note of the removal made on the general index or order-sheet. The certified copy shall be prepared by the Court

Reader or Ahalmad, and shall be signed by the presiding officer of the court. After the decision of the appeal or after the expiry of the period of appeal, if no appeal has been brought, the document shall be returned to the record of which it originally formed part, its place being taken by the certified copy.

27. *Officer for checking and cancelling stamps*:—(a) Each Magistrate or Sessions Judge should, under section 30 of the Court-fees Act, formally appoint an officer for the purpose of cancelling stamps. That officer, who should ordinarily be the Reader for documents filed in court and the Munsarim for documents presented before him, shall personally attend to and be personally responsible for the strict fulfilment of the duty of receiving documents to be filed, examining the correctness and adequacy of stamps attached thereto and immediately cancelling such stamps as are required by section 30 of the Court-fees Act. There is no objection to the ministerial officer appointed employing trustworthy subordinates to do the mere manual work of cancelling the stamps, subject to the approval of the court, but it will be on the distinct understanding that the officer will be personally responsible for the due execution of the duty and for any defalcation or fraud that may occur in connection with it.

Note:—1. The presiding Judge should see that punching is done immediately on presentation of the petition and other documents in court.

Note:—2. A rubber stamp in the following form shall also be used.

Cancelled.

Dated... ..

It should be applied across the adhesive stamps and upon the paper on either side of it but not in such a way as to obliterate the entries thereon or to render the detection of forgeries more difficult.

(b) Too strict a compliance with the provisions of section 30 of the Court-fees Act cannot be enjoined. In all cases it should be carefully seen that the figure heads of the court-fee stamps are punched out, that the pieces are destroyed, and the stamps registered before the documents to which the stamps are attached are filed or acted upon.

(c) Every Judicial Officer should inspect and test the work of his officers from time to time so as to ensure attention to their duty and to limit opportunities for fraud. A very efficient check could be kept on any attempt to defraud Government if each presiding Judge examines daily some of the records he handles and if he also examines periodically bundles of records of cases dealt with by him taken out at random from the shelves in which they are placed.

Commentary

The rule is meant to put into effect the provisions of section 30 of the "the Court Fees Act which provides that, No document requiring a stamp under

this Act shall be filed or acted upon in any proceeding in any Court or office until the stamp has been cancelled.

Such officer as the Court or the head of the office may from time to time appoint shall, on receiving any such document, forthwith effect such cancellation by punching out the figure-head so as to leave the amount designated on the stamp untouched, and the part removed by punching shall be burnt or otherwise destroyed.

CHAPTER IV

TRIALS IN COURTS OF SESSION AND BY JURY.

Commentary

The provisions for trials in courts of Sessions and by jury are contained in the Chapter XXIII of the Code of Criminal Procedure. The rules contained in this Chapter are meant for the guidance in conducting sessions trials.

28. *Procedure on commitment*.—When an order of commitment for trial has been made, the Magistrate shall at once report the fact to the court to which the commitment is made by a letter in the prescribed form (F 5); and shall within eight days from making the said order, submit the entire record to the Court of Session or, when the commitment is made to the High Court, to the Clerk of the State together with a calendar in the prescribed form (F 6).

The entries in the calendar with regard to witnesses shall be full and accurate, so as to give the court receiving it a clear idea of the matters to which each witness will depose.

29. *Examination of record of commitment in Sessions Court*.—The record of each case shall be carefully examined immediately on receipt, and the Sessions clerk shall report whether it is complete and properly arranged and indexed, whether all material exhibits have been received, and whether bonds of witnesses have been duly taken. The Committing Magistrate shall be asked to have the deficiencies, if any, made up, and the record may be returned to him for this purpose, if necessary.

30. *Allowances to witnesses*.—The payment of reasonable expenses of complainants and witnesses attending criminal courts for the purpose of any enquiry, trial or other proceeding is regulated by rules framed by the Government of Rajasthan under section 544 of the Code of Criminal Procedure, (Act V of 1898), which rules were published with notification No. F. 21 (250) Jud./49 dated January 6, 1951 (in the Rajasthan Gazette No. 137 dated 24.2.51)

31. *Allotment of days for Sessions cases*.—Sessions cases should be disposed of with the greatest possible expedition, and to secure this object, the following method should be adopted:—

- (a) Sessions Judges should reserve for possible Sessions cases several days in each month. The Committing Magistrate as soon as he decides to commit any case should inform the Sessions Judge vide rule 28 above (sending him a brief statement showing the section under which the accused is charged and the number of

witnesses for the prosecution) and give his own estimate of the time that the trial will take in the Sessions Court. Committing Magistrates often hold their Courts at the headquarters of the Sessions Judge and the Sessions Judge in such cases should be able to fix dates for the trial the same day and to communicate those dates to the committing Magistrate who should at once inform the police and the witnesses, thus obviating the trouble of future service.

- (b) If no intimation is received of the commitment of a sessions case, which can be fixed for any dates reserved for sessions cases, such dates shall be filled up with criminal appeals, and revisions and civil appeals or other civil cases in which either the service of notices or summonses is not required or can be effected within the time available.
- (c) When the date of hearing in a sessions case cannot be fixed in the manner indicated in clause (a), it shall be fixed as soon as possible, after the receipt of the record and the calendar from the committing Magistrate. The date so fixed shall be intimated to the committing Magistrate and he shall arrange to secure the attendance of witnesses on that date. The date should be so fixed as to allow necessary time to the Magistrate to secure the attendance of witnesses (F.5)

32. *Statement of result of sessions trials.*—At the conclusion of each trial, the Sessions Judge shall forward to the District Magistrate a copy of the judgment. He shall also cause a statement of the result of the Sessions trial showing the prisoners punished and acquitted to be prepared in the prescribed form (F7) and forwarded to the District Magistrate immediately.

If the Sessions Judge has recorded in any Judgment any stricture on the conduct of the preliminary enquiry by any Magistrate, the District Magistrate shall bring such stricture to the notice of the Magistrate concerned.

33. *Report if Sessions Judge leaves division.*—In the event of the Judge of a Court of Session leaving his Sessions division, he shall make arrangement for disposal of urgent criminal work in his absence, and on return shall report to the High Court the date of his departure from, and of his return to his headquarters.

34. *Judge's and counsel's dress:*—The following distinctive costumes shall be worn by presiding officers of courts of session and by pleaders and advocates practising in such courts—

By Sessions Judges or Additional Sessions Judges:

A gown made after the pattern of a King's counsel's gown of black silk or stuff with bands.

By Advocates:

A black gown of alpaca or other stuff made after the pattern of King's Counsel's gown, with bands.

By Pleaders:

The gown prescribed for advocates but without sleeves and without bands.

If an advocate or pleader desires to wear a head-dress of any kind he should wear a turban.

The presiding officers of Courts of Session and advocates and pleaders appearing in such courts shall also wear black coats or achkans.

35. *Accused sentenced to death to be warned to appeal within seven days:*—A Sessions Judge, in a case in which a person is sentenced to death, shall record that he has informed him that, if he wishes to appeal, his appeal must be preferred within seven days.

CHAPTER V.

OATH AND AFFIRMATIONS.

36. *Form of oath and affirmation.*—The following forms of oaths and affirmations are prescribed:—

I. Oath for witnesses :—

“The evidence which I shall give to the Court shall be the truth, the whole truth and nothing but truth. So help me God”

II. Affirmation for witness:—

“I solemnly affirm that the evidence which I shall give to the court shall be the truth, the whole truth, and nothing but the truth.”

III. Oath for interpreter:—

“I shall well and truly interpret what is deposed by the witness (or witnesses) before the court. So help me God.”

IV. Affirmation for interpreter:—

“I solemnly affirm that I shall well and truly interpret what is deposed by the witness (or witnesses) before the court”

V. Oath for Juror.—

“I shall well and truly try and true deliverance make between the State and the accused at the bar, and give a true verdict according to the evidence. So help me God.”

VI. Affirmation for juror:—

“I solemnly affirm that I shall well and truly try and true deliverance make between the State and the accused at the bar, and give a true verdict according to the evidence.”

37. *Note to be made of the official giving oath.*—When an oath or affirmation is administered, the name of the official who administered the oath or affirmation shall be noted upon the deposition of the witness or other person to whom it is administered.

CHAPTER VI.

THE RECORDING OF EVIDENCE

38. *Mode of recording evidence.*—Every record of evidence and statements made by a Presiding officer or an officer of the Court shall be legibly written. If in making such record an officer uses a type-writer, he shall sign every page of such record and shall initial every correction or alteration therein. In every record and on each deposition every person mentioned whether examined on commission or otherwise, shall be indicated by his full name, with his profession, residence and age. In no case will he be indicated by a number only. Abbreviations and elliptical forms of expressions shall be avoided, particularly abbreviations of names of persons or places.

The record made shall follow as closely as possible the actual words and expressions used by each witness.

39. *Certificate on certain depositions.*—In the case of depositions referred to in section 509 of the Code of Criminal Procedure, 1898, other than those taken on commission under Chapter XL, a Magistrate taking the deposition of District Medical Officer or other medical witness, shall sign at the foot of the deposition a certificate in the form indicated below or a memorandum to the same effect:—

The foregoing deposition was taken in the presence of..... accused who had an opportunity of cross-examining the witness. The deposition was explained to the accused, and was attested by me in the presence of the accused.

Commentary

Section 509 of the Code of Criminal Procedure provides that the deposition of a Civil Surgeon or other medical witness, taken and attested by a magistrate in the presence of the accused, may be given in evidence in any inquiry, trial or in any other proceeding under the Code, although the deponent is not called as a witness. This rule requires that such deposition should bear the certificate of the Magistrate as referred above.

CHAPTER VII.

GENERAL PROVISION REGARDING TRIALS.

40. *Daily Cause List.*—A daily list of cases fixed for hearing in every court prepared in legible Hindi in the prescribed form (F8)

shall be posted on the previous working day in some conspicuous place of the court house. The cause list shall also show the purpose for which a case has been fixed.

40 A. If a case is fixed for a day on which the Court does not sit on account of its being later found or declared to be a holiday, the case will be taken up on the next day on which the Court sits."

41. *Brief-holders*—A legal practitioner when unable personally to attend to a case in which he is briefed, may hand over the brief to another legal practitioner without the latter filing a Vakalatnama.

42. *District Magistrate to be informed of Police errors*.—When in any case of which a court has taken cognizance, the presiding officer has occasion to notice any erroneous practice on the part of the police, or has reason to believe that a confession has been elicited by the police from an accused person by the use of force or undue influence, or that any other grave irregularity has occurred, he shall bring the matter to the notice of the District Magistrate.

43. *Previous conviction to be noted in judgement*.—In a case in which an accused is liable to enhanced punishment or to punishment of a different kind for a subsequent offence, on account of any previous conviction, the court, if it convicts the accused, shall set forth in its judgment each such previous conviction proved against or admitted by the accused, specifying the date of the conviction, the section under which it was bad, and the sentence imposed.

44. *Post Office records not to be disclosed unnecessarily*.—When any journal or other record of a Post Office is produced in court, the court shall not permit any portion of such journal or record to be disclosed other than the portion which seems to the court necessary for the determination of the case then before it.

45. *Affidavit to be stamped*.—A Magistrate shall not allow an affidavit, which is not one exempted from stamp duty to be sworn before him, unless it is duly stamped.

46. *Memo of Identification Proceedings*.—Identification proceedings in Jail for identification of suspects shall invariably be recorded by Magistrates in the prescribed form (F 9).

Proceedings for identification of property shall also be recorded by Magistrates in the prescribed form (F 10)

47. *Release order to be sent to jail if person bailed be in jail*.—When a person confined in jail is admitted to bail by order of a Court, the presiding officer shall see that the order of release is entered in a letter delivery book in the prescribed form (Reg. 1) and sent through one of the court peons to the officer in charge of the jail whose signature should be obtained in the letter delivery book in token of the delivery of the release order to him. Such orders should in no case be made over to private persons for delivery to Jail authorities.

47 A. The property concerning a criminal case produced in a court shall be kept in the custody of the Court Officer attached to the court or of any other officer as may be convenient and proper.

CHAPTER VIII.

SUBMISSION OF SENTENCE FOR CONFIRMATION AND EXECUTION OF SENTENCE.

48. *Procedure on passing sentence of death.*—When a Court of Session passes a sentence of death, it shall forthwith commit the prisoner by a warrant in the appropriate form to the jail from which he came to stand his trial, and shall submit its proceedings to the High Court with a letter in the prescribed form (F. 11) at the latest on the fourth day after the sentence of death has been pronounced. A copy of the judgment shall be furnished to the prisoner within three days, whether he applies for it or not.

49. *Counsel for prisoner.*—When a court of Session submits its proceedings to the High Court in the manner laid down in the preceding rule, it shall state in the prescribed form (F. 11) whether the prisoner has funds or not to employ counsel in the High Court and whether the prisoner will employ counsel or not.

50. *Female prisoner sentenced to death.*—When a Court of Session sentences a female prisoner to death, it shall consider after enquiring from such prisoner herself, if necessary, whether she is pregnant and if it thinks that it is likely, it shall have her examined by the District Medical Officer or such other doctor as it may consider fit and if it finds that she is in fact pregnant, it shall make a report to the High Court. But the submission of the proceedings to the High Court under rule 48 shall not be delayed on this account.

51. *Date of execution.*—The date fixed by a Court of Session in a warrant for execution of a sentence of death shall be not less than twenty-one nor more than twenty-eight days from the date of the issue of such warrant, unless it be otherwise directed in the order of confirmation.

52. *If date postponed, fresh warrant to be issued.*—When a warrant for the execution of a sentence of death has not been executed upon the date fixed owing to the postponement of execution by Government order, and is returned to the court with a certificate to that effect, the Judge shall, if the Government has refused to interfere with the execution of the sentence of death issue a warrant in the same form as before, fixing another date for the execution of the sentence, which shall be not more than seven days from the date of issue of such warrant.

53. *Copy of warrant to be sent to District Magistrate.*—On issuing a warrant for execution of a sentence of death, the court of Session shall forward a copy of the same to the District Magistrate for information.

54. *Separate warrant to jail for each convict.*—A separate warrant shall be directed to the Officer incharge of the jail for each prisoner in respect of whom a sentence of imprisonment is passed; the warrant shall show the serial number of the case; and shall bear the same date as the sentence bears. It shall state the period (in words and figures) and description of imprisonment and shall be drawn upon the prescribed form (F. 12). It shall contain full particulars as to any alternative sentence of imprisonment to be undergone in default of payment of fine, and as to any period of solitary confinement ordered.

If the prisoner is a Military Officer or soldier, his rank and regiment or department shall be stated in the warrant.

If the prisoner has been previously convicted, particulars of each previous conviction showing the date and nature of each sentence, and the section and Act under which it was passed, shall be endorsed upon the warrant

The Magistrate shall fill in the prescribed form (F. 12) regarding classification of convicts (vide Government Notification No. D-169/Jails/50, dated 25.3.50, read with Notification No. F-1 (89) Jails/5, dated 20.9.50) and attach it to the record in all cases of prisoners sentenced by him or committed to the Sessions, in order that it may be filed with prisoner's warrant and sent to jail with the prisoner.

55. *All orders of fines to be registered.*—(1) Whenever any person convicted of an offence or any defaulting juror or assessor is sentenced or ordered to pay a fine;

(ii) whenever any person is ordered to pay into court for delivery to any other person any sum by way of compensation, or of reimbursement of fines or fees paid;

(iii) whenever any person is permitted to deposit a sum of money in lieu of executing a bond;

(iv) whenever any person is called upon to pay the penalty of a forfeited bond; and

(v) whenever a criminal court orders repayment of court-fees; the presiding officer shall at once enter the amount of the fine, compensation or other sum, deposit, penalty or fee in the prescribed register of fines compensations, deposits, penalties and fees (Reg. 2).

56. *Fines paid into court to be sent to Treasury.*—When the amount of any fine, compensation or other sum, deposit, penalty or fee is paid into court, the presiding officer shall send the money as soon as possible, to the nearest treasury or sub-treasury, and shall send there-with a chalan in triplicate in the prescribed form (F. 13) signed by himself.

57. *Fines not paid at once may be paid to officer in charge of Jail.*—When a person is undergoing imprisonment in default of any such payment, the officer in charge of the jail may receive payment, of the whole amount or of any part thereof, and shall thereupon complete the execution of the warrant or order of imprisonment as provided by law.

58. *Procedure in cases under rule 57.*—When any Officer receives a payment as described in rule 57 or when the officer conducting a sale under a warrant receives the sale proceeds, the money so received shall be sent with as little delay as possible to the nearest treasury or sub-treasury.

The court or officer receiving the money shall inform the court, which ordered the payment or sale of the amount received, and forward to it the original treasury voucher under which it was paid into the treasury, or an attested copy thereof.

59. *Details to be noted in chalan.*—In every chalan and in every warrant for distress and sale, there shall be made a clear entry of the number of the case, of the exact nature of the payment made or to be made, of the person who is or was liable for the payment, and of the manner in which the amount paid is to be credited in the treasury, i. e., whether it is to be credited to Government or to a municipal or Cantonment fund as required by the law or the orders of Government, or as a criminal court deposit.

60. *Payment to treasury to be made as early as possible.*—Every sum received by a court or officer in the immediate vicinity of a treasury or sub-treasury or shall be paid in thereto on the day of receipt, or if the treasury or sub-treasury be closed on that day, then on the next day on which the treasury or sub-treasury is open. When a court or officer is at a distance from a treasury or sub-treasury, receipts shall be paid in thereto at least once every month, or as soon as the receipts exceed the sum of Rs 50/-. The money should be remitted by money-order whenever this is more economical.

When more sums than one are sent at the same time, a separate challan in triplicate shall be sent for each sum "exceeding Rs. 15/-. Sums not exceeding Rs. 15/- shall be sent through a challan (F. No. 13) which should contain details regarding each item included in the amount remitted by the challan.

When any sum received in a court is not sent to the treasury or sub-treasury on the same day, the presiding officer shall make arrangements for its safe custody until it can be paid in.

61. *Court Receipt Book.*—Every court shall be furnished with a receipt book in the prescribed form (F. 14) which shall be used by the Court for granting receipt to the payee in lieu of payments made.

Each book shall bear a printed number repeated on every form in the book, and the forms in each book shall bear printed numbers in regular series from 1 to 100.

62. *Payment to be entered in register and receipts given.*—When any payment is made into court under rule 56, and when duly authenticated intimation of any payment is received under rule 58, the court shall make an entry of the receipt in the appropriate register and shall cause a court-receipt for the amount to be prepared in triplicate—one for depositor, one for record and one for accounts. Such receipt shall be made over to the payer, if he is present. If he is not present, it shall be sent to him by post if he is not in custody, or through the officer in charge of the jail, if he is in jail.

The court receipt shall be prepared in English or in Hindi or in both, but in any case the words and figures denoting the sum for which the receipt is being issued shall be written on the receipt by the presiding officer of the court with his own hand and he shall sign the receipt. The receipt shall also be signed by the cashier who actually receives the money.

Upon the counterfoil of every court receipt, as it is made out or so soon thereafter as possible, shall be entered the number and date of the treasury receipt upon the chalan under which the money was paid into the treasury, and such chalan shall then be filed with the record.

63. [Omitted].

64. *Refunds.*—When an order is made for the refund of a sum that has been credited in the treasury, the order or a copy thereof shall at once be sent to the court which directed the credit, and that court shall take the necessary steps for its refund.

Honorary Magistrates, however, are not empowered to make refunds in cases where appeals against their decisions have been allowed. In such cases, the refund shall be made by the Sub-Divisional Magistrate having jurisdiction and, if there be no Sub-Divisional Magistrate, by the District Magistrate having jurisdiction.

65. *Register of Fines.*—The register of fines, compensations, deposits, penalties and fees shall be maintained in the prescribed form (Reg. 2). A fresh page shall be begun each month as provided in rule 67. A separate line shall be given for each person ordered to make any payment, even if two persons or more are subjected to such an order in one case. The entries in columns 1 to 8 shall be made as soon as the order is made. The entry in column 9 shall

be made as soon as the warrant is issued. The entries in columns 10, 11, 12 and 13 shall be made as soon as payment is made or the court is informed thereof. These entries shall be checked and initialled by the presiding officer. He shall compare the amount entered in the court-receipt-book with that entered in the treasury receipt and also with the amount entered in column 7 of this register.

In column 18 shall be made a note of the manner of credit of every fine that is not simply credited to Government; a note of the exact nature of every sum, other than a fine, entered in column 7; and a note of the section and the law under which every sum entered in column 8 is awarded, and a clear statement whether it is intended as compensation or re-imbursement or reward. When a deposit in lieu of executing a bond has been made and has been entered in this register and an order is passed for its forfeiture, a fresh line shall be given to the entry of the penalty, and entries made thereon as far as column 7, as soon as the order is passed; and at the same time a note of the forfeiture and of the annual serial number of the entry of the penalty shall be made in column 18 against the entry of the deposit. On receipt of information from the treasury, that the deposit has been credited to Government columns 10 to 13 of the entry of the penalty shall be filled up.

66. *Irrecoverable amounts*—Any Sessions Judge and any District Magistrate, and with the written permission of the District Magistrate, any Magistrate subordinate to the District Magistrate may at any time write off as irrecoverable any amount of which the payment has been ordered in his court or in the court of his predecessor in office, if it appears to him that the amount cannot be recovered:

Provided that the District Magistrate's sanction is unnecessary when the ground for remission of the fine is that the offender has undergone all the imprisonment awarded by the court in default.

Note:—For the purpose of this rule the term Sessions Judge shall be deemed to include an Additional or Assistant Sessions Judge.

67. *Monthly certificate on register of fines*.—At the end of every month, the Presiding Officer of each court shall certify on the register of fines, compensations, deposits, penalties and fees that he has examined all outstanding items that seem capable of realization

and has taken proper steps in each case.

The first entries on the next page, before any entry of an order made in the next month is made, shall be of all the outstanding items in detail of the previous months, which remained unrealised or were not written off.

67 A. At the end of every month, the Presiding Officer of each Court shall submit to the District and Sessions Judge or to the District Magistrate, as the case may be, a statement in the prescribed form showing the demand, collection and balance of fines levied and written off. The statement shall refer to the account month of the Treasury or Sub-Treasury with which the Court deals. The District Judge and the District Magistrate should each consolidate these returns into a monthly fines statement for the Courts under him and for his own and forward it to the Treasury Officer, as soon as possible after the end of the month, for verification of the amounts shown as remitted into the treasury with the credit appearing in the treasury account. The Treasury Officer should certify to the Correctness or otherwise of these amounts. Where there is any discrepancy between a consolidated statement and the treasury account, the Treasury Officer may, if necessary, before giving his certificate, request the District Judge or the District Magistrate to rectify the discrepancy.

68. *Statement of fines.*—A monthly return of all amounts realised by criminal courts as fines and credited as required by law to a Municipal Fund, shall be transmitted to the Municipal Board concerned. The return shall be made in the prescribed form (Ret. 1)

69. *Record-keeper to decline taking record till receipt of payment of fine is filed or non-payment accounted for.*—The Record-Keeper shall not take delivery of the record of any case in which the payment of money has been ordered, unless there be filed therein an acknowledgment of its receipt by the officer-in-charge of the treasury or sub-treasury or other person entitled to receive the money, or a report signed by the presiding officer of the court accounting for non-payment. Such report shall ordinarily be made, and the record transmitted to the record-room on receipt of the return to the first warrant issued for the recovery of the money.

70. *Officer-incharge of Jail to be informed of payment.*—Every court upon receiving a payment on behalf of a person who is in jail under a warrant directing imprisonment in default of such payment shall at once inform the officer in charge of the jail, if the payment was received otherwise than through the jail.

71. *Warrant to be filed after execution.*—When a warrant or an order upon which a sentence is executed is returned after execution to the court from which it was issued, the court shall send it to the record-room to be filed with Part A of the record of the case to which it belongs.

CHAPTER IX.

APPEAL AND REVISION.

72. *Appeals and Revisions to be registered.*—The provisions of the rules relating to the initial treatment of a case, and in particular those contained in Chapter III shall be observed in regard to an appeal and a revision case.

The papers of an appeal or revision case, shall be kept stitched together in a cover in the prescribed form (F. 16).

73. *Report by Munsarim or reader.*—Every petition of appeal, when received by an Appellate Court, shall be examined at once by the proper officer, who shall endorse upon it a report (i) whether or not it is barred by limitation; (ii) whether or not the appeal lies to the Court. The proper officer in the Court of Session shall be either the munsarim or the reader, as the Judge may direct. In every other court the reader shall be the proper officer.

And record to be sent for.—In every such case the record shall be obtained from the record-room or court in which it is by means of a requisition in the prescribed form (F 17).

74. *Notice to appellant and the officer appointed under S. 422 Cr. P. C.*—As soon as the date is fixed, the appellate court shall cause notice to be given in the prescribed form (F. 18) to the appellant as well as to the officer appointed by the Government under Section 422 of the Criminal Procedure Code who will inform the Appellate Court whether any one will appear to support the conviction.

75. *Notice of appeal in Magistrate's Court.*—(a) The Prosecuting Inspectors and Prosecuting Sub-Inspectors of Police are the Officers appointed under section 422 of the Code of Criminal Procedure, 1898, for the districts to which they are posted to whom notices are to be given of the hearing of appeals filed in the court of the District Magistrate or in a Court Sub-ordinate to the court of the District Magistrate.

Commentary

Section 422 of the Criminal Procedure Code requires the Appellate Court to give the notice of appeal by the accused to the officer as the State Government may appoint in this behalf. According to this rule the Prosecuting Inspectors and Prosecuting Sub-Inspectors of police are such officers when appeal is filed in the Court of District Magistrate or a Court subordinate to him. The District Magistrate is such officer when appeal is filed in the Court of Sessions.

(b) *Notice of appeal in Court of Session.*—The District Magistrate is the Officer appointed under section 422 of the Code of Criminal Procedure, 1898, for his district to whom notices are to be given of the hearing of appeals filed in the court of Session.

76. *Notice to appellant in Jail.*—Where notice of the time and place at which an appeal will be heard is to be given to an appellant who is in jail, a notice in the prescribed form (F. 18) shall

be sent under a covering docket in the prescribed form (F. 19) by the Appellate Court direct to the Superintendent of the Jail for communication to the appellant and return with an endorsement that the appellant has been duly informed.

The same procedure shall be observed when the court orders notice to be given to an applicant for revision who is in Jail.

77. *Procedure when appeal decided.*—(1) When an appellate court has sent for a record under section 423 of the Code of Criminal Procedure, 1898, it shall, after deciding the appeal, send back the record.

(2) *Appeal dismissed.*—If the appeal is dismissed and the appellant is on bail, the court, which passed the original sentence, shall issue the necessary orders requiring the appellant to surrender, or in default of his surrendering, the necessary orders for his arrest and confinement in Jail: Provided that if the appellant who had been released on bail is present in court when the appeal is dismissed, he may by the order of the court be taken into custody by the constable of the court and sent to the Superintendent of the Jail with a 'robkar' to admit the accused to serve out the remainder of the sentence.

(iii) If the appellant is in Jail and the appeal is rejected or dismissed, the appellate court shall also certify the judgment or order to the officer incharge of the jail for communication to the appellant.

(iv) The above procedure shall also be followed in the case of an application for revision, and in proceedings in Courts of Sessions under section 123 of the Criminal Procedure Code.

78. *Procedure when High Court rejects appeal or applications:*—When the appeal or application of a person on bail has been dismissed by the High Court, the District Magistrate shall report to the High Court that the order to surrender to bail has been carried out.

79. *Procedure when sentence altered, reversed or confirmed.*—(1) When the sentence under which the appellant is in confinement is reversed or modified, the appellate court shall issue a fresh warrant in conformity with its judgment or order, after including therein all appropriate endorsements on the original warrant, and shall send the new warrant direct to the officer-in-charge of the jail in which the appellant is confined. A copy thereof will be sent to the Court from whose order the appeal was preferred, to be attached to the original record.

(2) When a sentence is modified or reversed in appeal by the High Court of Judicature, the warrant shall be signed and issued by the Court to which the appellate judgment or order is certified under section 425 of the Code of Criminal Procedure, 1898, provided that if it is shown that delay in the release of a prisoner would

otherwise be caused, the warrant may be issued direct by the High Court of Judicature and the fact intimated to the lower Court.

(3) When the appellant has been admitted to bail pending the hearing of the appeal, the following special rules shall apply:—

- (a) When a sentence is reversed on appeal, the appellate court shall return the original warrant with a copy of its order to the court by which the appellant was admitted to bail, with a direction to discharge him.
- (b) When a sentence is modified on appeal, the appellate court shall prepare a fresh warrant in conformity with its order, and shall send it with the original warrant and with a copy of its order to the court by which the appellant was admitted to bail, with directions to take measures to secure his surrender and recommitment to jail on the modified warrant, if under the latter the appellant remains liable to imprisonment.
- (c) When a sentence is confirmed on appeal, the appellate court shall return the original warrant with a copy of its order to the court by which the appellant was admitted to bail, with directions as in sub rule (b) of the rule.
- (d) When the appellant surrenders to his bail in the appellate court, the court shall—
 - (i) If the sentence is reversed on appeal, discharge him;
 - (ii) If the sentence is modified or confirmed on appeal and the appellate court is not the High Court of Judicature, send him in charge of a police officer with the modified or the original warrant, as the case may be, to the officer-in-charge of the jail of the district in which the appeal has been heard, with directions to recommit him to jail; and
 - (iii) If the sentence is modified or confirmed on appeal and the appellate court is the High Court of Judicature, send him to the Superintendent of the Jail at Jodhpur or Jaipur, as the case may be, in the manner directed in Clause (ii).
- (e) It is the duty of the court to which the appellant surrenders, in view of the provisions of section 426, sub-section (3), of the Code of Criminal Procedure, 1898, to endorse on the warrant the date of his release on bail and of his subsequent surrender.

Commentary

A convicted person can be released on bail and his sentence can be suspended pending appeal under section 426 of the Criminal Procedure Codes. Sub-section (iii) of section 426 requires that,—“When the appellant is ultimately sentenced to imprisonment, or imprisonment for life the time during which he is so released shall be excluded in computing the term for which he is so sentenced”.

The rule requires that a period, during which the sentence remained suspended, shall be endorsed on the warrant for imprisonment.

80. *Report of certain proceeding to the High Court.*—When the Court of Sessions or District Magistrate, on examining the record of any proceeding, thinks fit to report for the orders of the High Court, the result of such examination, then, except in a case in which delay should be avoided, the explanation of the officer whose proceedings have been examined shall be called for and submitted to the High Court. Such explanation should be couched in respectful language and confined to matters which need explanation or clarification.

The report shall contain a brief analysis of the proceedings, shall indicate the portion of the findings, sentence or order recommended for revision, and shall state the grounds upon which, in the opinion of the Court making the report, the finding, sentence or order should be reversed, set aside or modified.

When such report is made by the District Magistrate, he shall make his report and send the record through the Court of Session. If the case be one in which an appeal lies to the Court of Session, such report should not be made until the period of limitation of an appeal has expired, and the Sessions Judge shall, in forwarding the report and record, state—

- (1) Whether an appeal has been presented, and, if so, with what result,
- (2) Whether the period of limitation for an appeal has expired.

If after perusing the explanation of the officer, whose proceedings have been examined, the Sessions Judge or District Magistrate considers it unnecessary to do so, he shall not report the case to the High Court.

81. *Order suspending sentence to be certified.*—When a court orders that execution of a sentence be suspended, it shall certify its order to the Court by which sentence was passed, and, if the appellant or applicant is in jail, to the officer in charge of the jail for communication to the appellant or applicant, and for report that the necessary action has been taken.

82. *No judicial order by telegram.*—A court shall not issue a judicial order or communicate the purport of a warrant or process by telegram.

83. *Jail Appeals.*—On receipt of an appeal from a convicted person in Jail the presiding Judge of the appellate court shall ascertain whether an appeal through counsel has been filed on behalf of the same person and if it is found that no such appeal has been filed, the final disposal of the appeal shall be postponed till after the expiry of the period of limitation:

Provided that in any case where the presiding officer on perusal of the record considers it necessary to hear the Public Prosecutor (or Prosecuting Inspector) he shall issue notice to him without waiting for the period of limitation to expire.

CHAPTER X

PRESERVATION OF RECORDS.

84. *Certificate before transmission of record.*—Whenever a record is to be sent from a court or record-room to a Court or record-room, the reader or record-keeper shall carefully examine the record before transmitting it, and shall attach and sign at the foot of the general index a certificate on prescribed form (F.20).

85. *Examination on receipt and report if necessary.*—When the record of a case is received in a court from another court or from the record room, the reader shall carefully examine the record and shall at once report to the court if the record is not in all respects in order and corresponding to the general index so as to prevent the possibility of doubt as to the office responsible for a missing document or for errors and deficiencies in the record.

If the record is received from the High Court, the reader or record-keeper shall carefully examine the record and shall lay it before the court. Every copy of Judgment or order received from the High Court shall be placed upon the general index and filed with the record.

86. *Division of record into classes.*—When a record is complete, and before it is sent into the record-room, the reader shall note thereon the class to which it belongs under Chapter XI, and shall in any doubtful case take the orders of the court. The clerk in-charge of the record shall in every record belonging to class II or class III, separate the papers belonging to part A from those belonging to part B, and shall put the papers belonging to part A into a cover in book-form, and shall affix the front part of the wrapper on the outside of the book thus formed. He shall make up the papers belonging to Part B in book-form, and attach the Part B book to the Part A book. Every record belonging to class I shall be sent to the record room in its wrapper and shall not be made up into book-form.

87. *When records are to be sent to record-room.*—The records of completed cases in the courts of Magistrates shall be transmitted to the record-room of the District Magistrate on such dates and in such manner as the District Magistrate may from time to time by written order prescribe; provided that records shall be sent in from every court at head-quarters not less than twice in every month, and from every court on tour or not at headquarters at least once in every month.

For the return of records of cases under appeal or revision that have been sent for by courts of appeal or revision the form prescribed (F. 21.) for transmission of record shall be used.

The records of completed cases in Courts of Session shall be forwarded to the record-room of the Sessions Court not later than the last day of the month succeeding the month in which judgment was pronounced.

Records received back from the High Court, and papers received in a court after a record has been sent to the record-room (e. g., orders summarily rejecting appeals, warrants returned after execution, etc.,) shall be sent to the record room on the earliest occasion after their receipt on which records of completed cases are being sent there.

88. *List of records to be maintained.*—(1) Each bundle of completed records shall be accompanied by a list of the records it contains. The clerk in charge of the records shall prepare the list and shall enter the records therein in the order of the dates of decision. But if the dates of decision of two or more cases to which the list relates are the same, they shall be entered in the order in which they stand in the court's registers. The reader shall examine the list and when he has seen that every case ready to be sent to the record-room has been duly entered therein, he shall sign the list.

(2) If a completed record is required for use in the court in which it was completed, or if it has been requisitioned by another court, or if, for any other reason, a completed record is not sent to the record-room, there shall be sent to the record-keeper, in the monthly bundle, in place of every such record, a copy of the form of requisition under which it has been detained, or transmitted elsewhere; the record-keeper shall deal with this as an original requisition.

(3) The list shall be on the prescribed form (F. 22 or F. 23) and shall be placed on the top of the records in the bundle. When the records have been examined, as provided in rule 90, and have been placed in their racks, the list shall be bound with previous lists of records in the record-room so as to form a register of decided cases.

The reader shall make out an invoice in the prescribed form (F. 24) of all the records and other papers forming each consignment to the record-room. The invoice (but not the counterfoil or the whole book) shall be sent to the record-keeper, who shall compare the number of records and papers entered therein with the number actually received and shall sign the invoice and return it to the court. The reader shall then attach it to its counterfoil in the book.

89. *Record to be kept in a rack.*—Until the records and papers received in the record-room can be examined by the record-keeper as provided in rule 90, they shall be kept in a rack set apart for the purpose.

90. *And examined by the record-keeper.*—As soon as may be after the records and papers have been received, the record-keeper shall examine each record and satisfy himself:—

- (1) that every record is properly entered in the list of the bundle to which it belongs, and that it has been properly classified;
- (2) that the papers in the record correspond with those entered in the general index;

- (3) that the papers in the record bear no erasures or interlineations but those noted in the general index;
- (4) that the papers bear the stamps entered in the general index;
- (5) that the stamps have been duly cancelled;
- (6) that on each paper the number and aggregate value of the stamps on it have been recorded;
- (7) that all orders have been duly signed;
- (8) that the provisions relating to the realisation of fines given in Chapter VIII have been properly complied with.

If the record be found in order, the record-keeper shall enter and sign below the certificate signed by the reader a certificate to the following effect.—

‘Record examined and found correct.’

If a list be found incorrect or a record be found defective in any respect, the record-keeper shall submit it with a report for the orders of the officer in charge of the record-room, or of the District Magistrate or the Sessions Judge, as the case may be. When making his examination, the record-keeper shall punch a hole in each stamp, distinct from the hole previously punched. The punching shall invariably be made in the middle of that part of the label on which its value is printed but shall not remove so much of the stamp as to render it impossible or difficult to ascertain its value or nature.

91. *Subsequent Papers to be filed.*—A paper sent to be filed with a record already in the record room (e.g. an order summarily rejecting an appeal, a warrant returned after execution, etc.) shall be filed with such record as soon as may be after examination. The record keeper, as directed in the previous rule, shall punch every stamp which such paper may bear, and enter the paper in the general index. The entry shall be made below the certificate signed by the reader or, if necessary, on a fresh sheet of the general index.

92. *Prohibition against unauthorised removal of records.*—No judicial record or portion of any judicial record shall be taken out of court building or premises by any ministerial officer on any pretext whatever. A breach of this rule will render the officer liable to dismissal.

CHAPTER XI.

DESTRUCTION OF RECORDS.

93. *Classes of records.*—Records shall be classified as follows—

Class I.—Every complaint dismissed under section 203 of the Code of Criminal Procedure, 1898.

Every case compounded under the law. Every application dismissed and Every miscellaneous report or proceedings, when not filed as part of the record of a regular case.

Every case in which an accused person is discharged under the provisions of section 259, Criminal Procedure Code (Act No. V of 1898).

Every case under section 133 of the Criminal Procedure Code.

Every case in which an accused person is acquitted under section 247 or 248 of the Code of Criminal Procedure.

Every case under the following laws in which the offence charged is punishable with fine only or with imprisonment not exceeding one year, with or without fine:

1. The Motor Vehicles Act (IV of 1939).
2. The Prevention of Cruelty to Animals Act (XI of 1890), as adapted to Rajasthan.
3. The Cattle Trespass Act (I of 1871), as adapted to Rajasthan.
4. The Vaccination Act (XIII of 1880), as adapted to Rajasthan.
5. Laws relating to stage carriages or hackney carriages.
6. Laws relating to municipalities or other local bodies.
7. The Rajasthan Stamp Law (Adaptation) Act, 1952.

NOTE:—The register of Regular criminal Cases should be properly maintained and should show convictions where sentences are passed.

NOTE:—Cases in which the order under section 133, Criminal Procedure Code, is made absolute under sections 136, 137 or 140, Criminal Procedure Code; should be treated as falling in class III.

Class II.—Every case in which the offence charged is punishable with fine only or with imprisonment not exceeding one year with or without fine; except offences under the following Acts:—

- (i) The Rajasthan Public Gambling Ordinance, 1949.
- (ii) Laws relating to Criminal Tribes.
- (iii) Laws relating to Excise.
- (iv) Laws relating to Opium Smoking.
- (v) Laws relating to salt.

Every appeal and revision case.

Class III.—All other cases including cases under section 108 of the Criminal Procedure Code;

Provided that a court for reasons to be recorded in writing may order that any case or proceeding belonging to class I be treated as belonging to class II or class III, or that any case belonging to class II be treated as belonging to class III.

94. *Destruction of papers.*—The entire record in class I shall be destroyed upon the expiration of one year, Part B in classes II and III shall be destroyed upon the expiration of two years, and Part A in class II shall be destroyed upon the expiration of three years, reckoning from the 30th June or 31st December next ensuing after the order disposing of the case.

Part A in class III shall be destroyed upon the expiration.—

- (a) of ten years in a case under section 108 of the Code of Criminal Procedure, and in a case tried by a Court of Session, or by a Magistrate, in exercise of the powers granted to him under section 30 of the Code of Criminal Procedure, except that (i) in every case the judgment or final order of the Session Judge or Magistrate shall be retained for 50 years; and (ii) in a case in which a conviction was had under Chapter VI of the Indian Penal Code, the whole of part A shall be retained for 50 years;

Proviso: In cases tried by Sessions Judges in which punishment awarded is more than 7 years rigorous imprisonment, special orders of the Sessions Judge shall be taken in each case to destroy part A of class III after 10 years;

- (b) of five years in other cases; except that in every case the judgment or final order of the Sessions Judge or Magistrate in cases in which the offence proved is an offence punishable under Chapter XII or Chapter XVII of the Indian Penal Code with imprisonment of either description for a term of three years and upwards shall be retained for 50 years; reckoning from the 31st December next ensuing after the order disposing of the case;

Provided always that.—

- (i) if the warrant with the certificate as to the manner in which the sentence has been executed has not been filed with the record before the expiration of the period above-mentioned, the record shall be laid before the court for further orders;
- (ii) a Sessions Judge or District Magistrate, for reasons to be recorded in writing, may direct that any record or part thereof be retained permanently;
- (iii) the record of a case in which an accused has absconded or is a lunatic or a person has been ordered to pay maintenance, shall not be destroyed until it be proved to the satisfaction of the District Magistrate that such accused or other person is dead, or until a period of fifty years has elapsed since the order was passed;
- (iv) the records of cases of non-criminal lunatics shall be destroyed upon the expiry of 3 years from the date the non-criminal lunatic is either discharged from the hospital or is dead or from the date the

application filed under section 5 of the Indian Lunacy Act (IV of 1912) is dismissed under section 10 (2) of the Act.

95. *Disposal of records liable to be destroyed.*—As soon as may be after the 1st January, and 1st July of each year, the records liable to be destroyed under the preceding rule shall be examined, and if their time for weeding has expired, shall be disposed of as follows.—

- (1) Confidential papers and stamps and court-fees labels shall be torn to pieces and burnt in the presence of the record-keeper. Notes and orders on administrative matters must be treated as confidential papers.
- (2) All original documents and papers forming parts of records as also certified copies of such documents and papers shall be torn across and then sold as waste-paper to the best advantage.
- (3) Papers not covered by clauses (1) and (2) and the accumulation of waste-paper baskets shall be sold as waste-paper without being torn at all.

The sale-proceeds of the paper shall be credited to Government and in order to secure that the best price is being obtained inquiries should be made as to the prices obtainable in the neighbouring districts.

As each record is weeded, a note of the fact shall be made in the list with which it was received in the record room.

96. *Retention of Registers, books etc.*—The following books shall be retained for the periods specified against them, computed from the date of the latest entries:—

| S. No. | Description of book or register. | Period. |
|-----------|---|-------------|
| 1. | Register of fines, compensation, deposits, penalties and fees | Five years. |
| 2. | Register of requisitions for records ... | Three " |
| 3. | Register of Records requisitioned and returned | Three " |
| 4. | Register of the records taken by the Presiding Officer for examination | One " |
| 5. | Inspection Register | One " |
| 6. | Register of Copies. | One " |
| 7. | Stock Book of printed forms. | Three " |
| 8. | General Register of correspondence files ... | Six " |
| 9. | Register of letters received.... | Three " |
| 10. | Register of letters issued | Three " |
| 11. | Register of General letters and Circulars ... | Thirty " |
| 12. | Register of Complaints | Six " |

| | | | | |
|-----|--|-----|-----|---------------|
| 13. | Register of Regular Criminal Cases | ... | ... | Fifty years |
| 14. | Register of Miscellaneous Criminal Cases | ... | ... | Five " |
| 15. | Register of Regular Criminal Cases Disposed of | ... | ... | Two " |
| 16. | Register of Malkhana Articles | ... | ... | Twelve " |
| 17. | Register of Police Reports of Offences | ... | ... | Six " |
| 18. | Register of Miscellaneous Police Reports | ... | ... | Two " |
| 19. | Register of cases transferred under Sec. 192 Criminal Procedure Code | ... | ... | Three " |
| 20. | Register of Criminal appeals | ... | ... | Three " |
| 21. | Register of Criminal Appeals disposed of | ... | ... | Two " |
| 22. | Register of Criminal Revisions | ... | ... | Two " |
| 23. | Register of Criminal Revisions disposed of | ... | ... | Two " |
| 24. | Register of Sessions Cases | ... | ... | Fifty " |
| 25. | Register of cases referred under sec 123. | ... | ... | Five " |
| 26. | Register of Sessions Cases disposed of | ... | ... | Three " |
| 27. | Register of closed Registers | ... | ... | Permanently " |
| 28. | Register of witnesses | ... | ... | Three " |

97. *Retention of certain papers for more than one year.*—The following papers shall be retained for the periods specified against them, computed from the 31st December of the year to which they relate:—

| No. | Description of paper. | Period of retention. |
|-----|--|----------------------|
| 1. | Periodical statements and returns other than annual reports or returns and office copies of them and correspondence regarding them. | Three year |
| 2. | Copies of orders forwarded under section 167 of the Code of Criminal Procedure, 1898, if not filed with the record of a case. | Ditto. |
| 3. | Proceedings in respect of absconding witnesses under sections 87, 88 and 89 of the Code of Criminal Procedure, 1898, if not filed with the record of a case. | Ditto. |
| 4. | Invoice of consignments to the record room. | Ditto. |
| 5. | Papers relating to contingent charges. | Ditto. |
| 6. | Punishment of officials, after final orders have been carried out and entry made in service book. | Ditto. |
| 7. | Certificates of transfer of charge of office. | Five years. |
| 8. | Annual reports and returns. | Twenty years |

98. *Retention of certain papers for a period of one year and three years.*—(1) The following papers shall be retained for one year; computed from the 31st December of the, year in which they were written and in case of letters from the 31st December of the year in which the correspondence was closed.—

| No. | Description of paper. |
|-----|--|
| 1. | Applications for copies; if not filed with the records of the cases to which they relate and correspondence relating to them. |
| 2. | Reminders. |
| 3. | Correspondence relating to leave and transfers. |
| 4. | Correspondence relating to the service or execution of criminal processes and to the summoning of jurors and assessors. |
| 5. | Correspondence with other departments regarding criminal proceedings under special laws. |
| 6. | Office copies of calendars of committed cases. |
| 7. | Correspondence relating to questions of practice or procedure which is concluded by the publication of a rule or order of competent authority. |
| 8. | Correspondence and applications regarding employment. |
| 9. | Copies of judgments and statement of the result of Sessions trials (Chapter IV, Rule 32). |

(2) The following papers shall be retained for three years, computed from the 31st December of the year in which they were written and in case of letters, from 31st December of the year in which the correspondence was closed.—

| No. | Description of paper. |
|-----|--|
| 1. | Correspondence regarding books, furniture and repairs of Courts. |
| 2. | Indents for forms, stationery or additional copies of circulars and correspondence relating thereto. |
| 3. | Correspondence relating to salary, travelling allowance and contingent bills. |

99. *Destruction of papers.*—At the end of the periods specified for retention, the books and papers mentioned in the three rules immediately preceding shall be destroyed in the manner prescribed in rule 95:

Provided that a Sessions Judge or District Magistrate, as the case may be, may at his discretion direct the retention for a longer period or permanently of any paper which he may consider likely to be useful in the future.

100. *Notice to be given before destructions of original document*—In cases in which original documents have been filed in a criminal record, the Sessions Judge or District Magistrate, as the case may be, shall, before destroying the Record on expiration of the period of retention, give notice by post, 'service bearing', to the parties concerned intimating to them the impending destruction of the record and calling upon them to take back the original document in question. If the document is not claimed, it shall be destroyed after expiry of 3 months from the date of such notice.

CHAPTER XII.

REQUISITIONS FOR RECORDS.

101. *Requisitions for records.*—When under any law or any rule having the force of law a court sends for the record of a criminal case, whether pending or decided, the court shall send a requisition in the prescribed form (F. 17) and the cost of transmission shall ordinarily be borne by the Government.

102. *Requisition of a record from a court in another State.*—When a record or a portion of a record pertaining to a court in another State is required, the requisition shall invariably be sent through the High Court. In no case must it be sent to the court direct. The court summoning the record or a portion of it must state whether it has satisfied itself that the production of the original record or of a portion of it is actually necessary.

103. *Requisition by party through Court.*—For the requisition of a record or portion of a record on behalf of a party to a case from any Civil, Revenue or Criminal Court, a written application shall be made stating the purpose for which the record is required. A separate application shall be made for each record or portion of a record required and each such application shall bear a court-fee label as provided in the Court Fees Act, 1870, as adapted to Rajasthan.

104. *Record may be issued to Govt. Commissioner etc.*—A court (including the officer in charge of record-room) shall ordinarily without objection send a record for inspection on receipt of a requisition from the Government, the Board of Revenue, the Head of a department of Government, the Commissioner of a division, the District Magistrate, or any court, civil, criminal or revenue. It shall not issue a record to any other person except for special reasons to be recorded. In any doubtful case, a report shall be made for the orders of the High Court.

105. *Printed formss.*—When an order for transmission of a record has been made, the reader or record-keeper shall send the record under the prescribed form (F. 21) for transmission after filling up the appropriate columns of the form. The form of requisition received shall be kept in the place from which the record was taken.

106. *Register of requisition.*—The departmental clerk in each court and the record-keeper in the record-room shall keep a register of requisitions for records in the prescribed form (Reg. 3), Columns 1 to 7 of which shall be filled up as soon as a requisition is received, and columns 8 and 9 when the record is transmitted.

107. *Record to be promptly returned.*—When the record is no longer required, it shall be promptly returned. The appropriate columns of the form of transmission shall be filled up and the form shall be returned with the record.

108. *Examination of record on receipt.*—On receipt of the record, the reader or record-keeper shall make an examination as

prescribed in Chapter X, rule 90, and after filling up columns 10 and 11 of the register of requisitions, he shall file the requisition and the form for transmission with the record, and restore the record to its proper place.

109. *Scrutiny of register.*—Once in every quarter, the register of requisitions shall be laid before the court or the officer in charge of the record-room, as the case may be, for orders as to records which were issued more than three months back and have not been returned.

110. *Mode of transmission of record.*—The following instructions shall be observed for the transmission of records from one court to another:—

- (1) Records shall be securely packed (in wax-cloth, when necessary), and shall, subject to the proviso herein-after contained, be transmitted by post or rail. Each parcel shall contain the papers connected with one case only. Postage shall, except when the requisition otherwise states, be prepaid by service postage stamps: Provided that if the record is to be transmitted to a court situated in the same place as the court transmitting it, it shall be sent by a Government messenger.
- (2) An acknowledgment shall invariably be required from the court to which a parcel containing a record has been despatched, and, in the event of none being received within a reasonable time, inquiry shall be made to ascertain the cause.
- (3) Records weighing under 250 tolas may be sent by parcel post; those weighing 250 tolas and over by rail (passenger train).

111. *What material exhibits are to be sent to High Court.*—At the conclusion of a trial liable to come up before the High Court in appeal, the Sessions Judge shall, after consulting counsel on both sides, where necessary, record a specific order as to what material exhibits are to be forwarded to the High Court along with the record in the event of an appeal. All such exhibits will be invariably submitted to the High Court along with the record.

In selecting these material exhibits, the Sessions Judge shall pay special attention to the fact that bulky and clearly unnecessary exhibits are not sent up and that important ones, e. g. weapons which are said to have been used to commit an offence or which are alleged to have been used, but about which there is any doubt as to their capacity to inflict the alleged injuries, are not omitted.

When a material exhibit is not sent up, a note to that effect shall be made in red ink against its number in the index of exhibits.

112. *Register of Records requisitioned and returned.*—All records received on requisition, and which are to be returned, shall

be entered in the 'Register of Records requisitioned and returned' (Reg. 4), as soon as they are received. An entry regarding return shall be made in the register when the record is returned.

CHAPTER XIII.

INSPECTION AND SEARCH OF RECORDS.

113. *Separate room for inspection.*—The Presiding Officer of each court, or where there are centralised arrangements for the inspection of records of more than one court located at the same station, the senior most Judicial Officer shall allot a room for the inspection of records. Where there is no official appointed exclusively as an Inspection Clerk, he shall appoint one of the clerks to perform the duties of the Inspection Clerk.

114. *Prohibition against giving surreptitious information.*—Ministerial Officers and the fourth grade Staff of the court should be made to understand that no information or copy shall, in any circumstances, be given otherwise than as laid down in the rules and that surreptitious or gratuitous supply of information or copy is strictly forbidden.

115. *Application for information.*—Any person desiring to ascertain the serial number and date of institution of any suit or other registered particulars respecting a case, or any proceedings therein or of any judicial proceedings, shall present or send by post a written application stamped with a court-fee label of four annas and giving the best particulars he can as to the year of institution and the names of parties. The Munsarim or the Chief Ministerial Officer shall mark such application with a serial number and direct the Officer in charge of the relevant register to make a search. The information, if obtainable, shall be given to the applicant in writing, signed by the official in charge of the register, within three days from the date of the receipt of the application. The information shall be sent by post if necessary postal charges have been paid. In case such information cannot be given within three days, the Munsarim or Chief Ministerial Officer shall forthwith, on the expiration of the said period, report in writing to the Judge for his orders, the cause of the non-compliance with the application. A printed copy of this rule in Hindi shall be kept posted on the notice-board in a conspicuous place in every court, and also in the Office of every Munsarim or Chief Ministerial Officer.

After disposal, the application for search shall be posted in a file book in serial order. Each such file-book shall be consigned to the record-room at the end of each calendar year.

116. *Information by means of questions.*—It will also be open to a party to obtain information regarding any case by means of written questions. To an application for such information must be affixed for every question asked pertaining to the same case, a court-fee label of 2 annas, if the case is pending, and of 4 annas if the Case is decided.

Note.—In no circumstance shall the right conferred by this rule be so exercised as to be in substitution of the method of obtaining more detailed information by an inspection of the record or by copies.

117. *Powers of Presiding Officers to examine records*.—The Presiding Officer of a court requiring to examine at his private residence a record of a case in his court, may take charge of such record. The Official in whose custody such record may be shall enter in a book in the prescribed form (Reg. 5) to be kept in the office for that purpose, a note describing the record so taken charge of by the Officer, the date when the Officer took charge of the record and the date when the same was returned to the said official.

118. *Papers in Office not open to inspection*.—The papers other than those of a judicial record shall not be open to inspection except under an order in writing of the Presiding Officer made on an office report.

119. *Inspection of papers in office*.—No record or paper in the office or in the custody of an officer of the court shall be inspected by any person other than the Presiding officer or an Officer of the court, except under an order in writing signed by the Presiding Officer; provided firstly that the presiding officer may, in his discretion, without making a written order in that behalf, permit a party to a suit or his pleader to inspect in the court room the record of a pending case on the day of hearing; and provided secondly that memorandum book of dates of hearing (or peshi registers) shall be made available for inspection free of charge, without any written application or order.

120. *Application for inspection*.—Except in the cases mentioned in the provisos to rule 119 no order for the inspection of a record or of any paper in a record, or for the inspection of a book or register shall be made except upon a written and duly stamped application, provided that no stamps shall be required in case of applications for inspection made on behalf of the Government, or of the accused, where the latter is defended by counsel provided by Government, or is in custody.

121. *Applications for inspection by party to a case*.—Any party to a case, appeal or other proceedings in the court, and any such party's advocate, attorney or Vakil, who has duly filed a Vakalatnama or power of attorney, may apply for an order to inspect the record, or any papers in such case, appeal or other proceeding.

122. *Application for inspection by non-party*.—Any person, other than a person to whom rule 121 applies, may apply for an order for the inspection of a record or paper in a suit, appeal or other proceeding. No such person shall be entitled as of right to obtain an order for inspection, nor shall he, in any case, be allowed to inspect exhibits put in evidence except with the consent in writ-

ing of the person by whom they were produced or his successor in interest. Such consent shall invariably be filed along with the application for inspection.

123. *Form and fees for application.*—(1) Every application for inspection of a record shall be in writing in the prescribed form (F. 25) and shall set forth:

- (a) the name and description of the applicant and his position (if any) in the case or proceeding;
- (b) the following particulars concerning the record of which inspection is desired:—
 - (i) Number and year of case.
 - (ii) Name of Court.
 - (iii) Title of case.
 - (iv) Date of disposal when the case has been disposed of and date of hearing when the case is pending.

(2) The fees for the inspection of records shall be paid in Court-fee labels in accordance with the following scale, namely:—

- | | | |
|--------------|------|-------------------|
| (i) Ordinary | | Fifty naya-paisa. |
| (ii) Urgent. | | One Rupee. |

(3) Inspection on an ordinary application shall be allowed on the day following the day on which the application is made or on a subsequent day mentioned in the Order.

(4) Inspection on an urgent application shall, as a rule, be allowed on the same day.

124. *Application for sending for of a record from another Court.*—Where a party to a case applies that any record, book or register, or set of books or registers, be sent for and inspected during the hearing of the case, the applicant shall, on the application being granted, pay into court a court-fee stamp of the value of one rupee for each such record, book or register or set of books or registers. If for any reason, such record, book or register is not sent for inspection, the applicant shall be entitled to a refund of the inspection fee paid under this rule less one anna in a rupee, provided he applies for such refund within three months from the date of the order granting the application for inspection.

125. *Application for inspection of more than one record or register.*—There shall be a separate application for inspection of each record or register. For the purposes of this rule, the record of an appellate Court and of the lower court or courts relating to same case shall be treated as one record.

126. *Inspection of records by Legal practitioner's clerk.*—Inspection of records by Legal Practitioner's clerks is not permitted. A registered (or recognized) clerk may be permitted to assist a legal Practitioner in his inspection. Such clerk must, however, withdraw from the inspection room as soon as the Legal Practitioner ceases inspecting.

127. *Day and time for inspection of records.*—(i) Every order for inspection shall specify the day on which such inspection may be made.

(ii) Inspection on any one application shall be allowed for one day only between 12 noon to 3.0 P.M. or during morning hours from 8.0. A.M. to 10.30. A.M.

128. *Order for Inspection.*—Every order for the inspection of a record or paper shall be sent to the Inspection Clerk and will entitle the person or persons named in such order, but not any other person or persons, to inspect the record or paper specified in the order on the date named in the order, but on no other date. If no inspection is made on the date fixed, the application shall be filed with the record and shall not entitle the applicant to inspect on any other date:

Provided that if the inspection could not be made for reasons not arising from the fault of the inspecting party, a fresh time will be fixed for inspection on the same fee.

129. *Duty of Record-Keeper.*—The record-keeper or the officer-in-charge of the record shall, on or before the day mentioned in the order required by rule 127, deliver to the Inspection Clerk the record or paper mentioned in the order, and shall receive an acknowledgment from the Inspection Clerk.

130. *Duty of Inspection Clerk.*—The Inspection Clerk shall, on the day of the inspection and immediately after the inspection has begun, make on the order a memorandum showing the date on which the order has been complied with, and shall, on that same day, return to the official from whom he received it every record or paper and every order. Such official shall forthwith file every order which has been returned to him and shall not again issue for inspection on an order so filed any record or paper.

The inspection shall be made in the presence of the Inspection Clerk, who before returning the file, shall examine the record and satisfy himself that all papers in the records are as they were before inspection.

131. *Inspection Register.*—The Inspection Clerk shall keep an inspection register in the prescribed form (Reg. 6).

132. *Use of pen and ink during inspection prohibited.*—No person inspecting a record shall be allowed to bring into the room in which the inspection is made any pen or ink, nor to use any pen or ink; nor shall he be allowed to make any mark upon, or in any respect to mutilate, any record or paper which is being inspected.

N. B.—The use of a fountain pen is also prohibited.

He may, if he so desires, make full copies in pencil of any papers that he is inspecting (within the time allowed).

CHAPTER XIV.

COPIES

133. *Order necessary for copy.*—Except as may be otherwise directed by any law for the time being in force or by any rule having the force of law, a copy shall not be made of any record or part thereof save under an order of the court upon an application made as hereinafter mentioned.

134. *Register of applications for copies.*—The head copyist under the supervision of the officer in charge of the copying department for the court shall enter every application for a copy in a register in the prescribed form (Reg. 7) to be maintained for the purpose.

In such register the entries relating to urgent applications shall be made in red ink, and all other entries shall be made in black ink.

In the column of remarks an entry shall be made showing the manner of disposal of each fee paid in cash.

135. *Copy to be sent to certain authorities.*—Notwithstanding anything in these rules contained—

- (i) the presiding officer of a court shall order a copy of any proceeding in the court to be made and delivered, upon receiving a written request to that effect from—
 - (a) the District Magistrate;
 - (b) the Public Prosecutor or other legal practitioner authorised in this behalf by the District Magistrate;
 - (c) any gazetted officer of Government of India who as such is interested in the proceeding;
 - (d) the Government or any High Court in India, any authority in India exercising jurisdiction similar to that of a High Court, any court subordinate to the High Court for Rajasthan or any principal Court in any other country:

Provided that if in the opinion of such presiding officer there is any objection to compliance with the request he shall refer the matter for the orders of the High Court.

- (ii) the presiding officer of a court shall order a copy of every judgment in which a Government servant, soldier, reservist or pensioner has been convicted of an offence to be sent to the officer at the Head of the department, office, regiment or other body to which such servant or soldier belongs, to the Adjutant General in India or to the officer responsible for the audit of payment of the pension of such pensioner.

In cases concerning Government servants accused of criminal offences copies of judgments of acquittal and of orders of discharge

shall be supplied free of cost on the application of the Head of the department in which such servant is employed.

In addition to the copies of judgments to be sent to the authorities mentioned in the foregoing paragraphs of this clause, a copy of judgment in all criminal cases [including cases of assaults and affrays] in which a Commissioned Officer or soldier is involved and the case ends in conviction, shall be sent to the Secretary to the Government of India, Defence Ministry.

Every copy ordered to be furnished under this rule shall be prepared on plain paper, but rules 134, 142, and 143 shall apply to the preparation of such copy.

Applications for copies of the documents detailed in this rule are not chargeable with fees under Schedule II of the Court Fees Act.

136. *Stranger may obtain copy of judgment.*—(1). Parties to a criminal proceeding are entitled to obtain copies of any portion of the record of trial or enquiry including such Police papers as may be made use of as evidence at the trial or enquiry and final reports submitted by Police under section 173 of the Code of Criminal Procedure.

(2) Subject to the provisions of sub rule (3) a stranger to a case may after final order obtain copies of any order, proceeding or paper on the record and may for sufficient reason shown to the satisfaction of the presiding officer of the court obtain at any time before final order copies of any order, proceeding or paper on the record.

(3) As a general rule, copies of exhibits in a criminal proceeding shall not be granted to persons who are strangers to it.

137. *Application for copy how presented.*—Every application for a copy shall be presented or sent by post prepaid to the officer in charge of the copying department for the court or record-room which is for the time being in charge of the record. Such officer shall then and there enter in clear bold words and figures on the left hand centre portion of each paper (obverse side) the date of the application and the serial number. A rubber stamp may be used for this purpose, the officer in charge merely initialling the entry.

When the application is for a copy to which by any law or by any rule having the force of law the applicant is entitled and is in other respects in order, such officer shall make an order for the copy to be granted; in every other case where such officer is not the presiding officer of a court, he shall lay the application for orders before the Sessions Judge or the District Magistrate, or the officer specially appointed in this behalf by the District Magistrate.

Except for special reasons, to be noted on the order made upon the application, a copy shall not be granted (1) of official correspondence or reports, or (2) of a document which is itself a copy.

In the case of official correspondence or reports an order for a copy shall not be made, until permission has been obtained from the highest authority concerned with such correspondence or reports.

A copy of a copy may only be granted, if the original document is not traceable, or is not accessible to the applicant for the purpose of obtaining a copy. Each page of such copy shall bear in red ink the remark that it is a copy of a copy.

For the purpose of these rules the officer in charge of the copying department shall be deemed to be—

- (a) for a Court of Sessions, the munsarim,
- (b) for any other court at head-quarters or the District Magistrate's, record-room, the officer in charge of the District Magistrate's record-room or such other person as the District Magistrate may appoint from time to time by written order;
- (c) for any other court, the presiding officer.

In every application sent by post the applicant shall give his full address, and shall state whether he will attend in person to receive the copy or desires it to be sent by post. In the latter case, the applicant shall also send a duly stamped addressed envelope with the application.

138. *Application for prisoner in Jail.*—An application for a copy by a prisoner may be made through the Superintendent of the Jail or through some one acting on the prisoner's behalf; in the latter case the officer in charge of the copying department shall, if satisfied that the application is made on behalf of the prisoner, order the copy to be made and sent to the jail, unless for good reasons shown he directs it to be made over to the person through whom the application is made.

139. *Form of application.*—An application for a copy shall ordinarily be written upon the prescribed form (F 26). It shall state:—

- (i) Whether the applicant is entitled to the copy;
- (ii) Whether he is entitled to such copy free of cost;
- (iii) if the applicant is not entitled to such copy; the object for which the copy is required and ground upon which the application should be granted;
- (iv) the paper or document of which the copy is applied for;
- (v) the record, if any, containing such paper or document; and
- (vi) whether the application is urgent or ordinary.

140. *Charges for a copy.*—A copy, which is not to be given without a fee, shall be charged for under the following scale—

- (a) For a copy containing 400 words or less in any court in any case other than a summary trial:—

| | Judgment | Deposition | Any other paper except a book, register, map or plan, etc. or an extract, thereof |
|---------------|----------|------------|---|
| | Rs. | Rs. | Rs. |
| Ordinary copy | 1/- | 1/- | 1/- |
| Urgent copy | 2/- | 2/- | 2/- |

- (b) For a copy containing 200 words or less:
 (i) of any paper in the case of a summary trial,
 (ii) of the order sheet, sentence or charge in the case of regular trial—

Ordinary Copy... Re. -/8/-

Urgent copy... Re. 1/-

- (c) For a copy mentioned in clause (a) containing more than 400 words or a copy mentioned in clause (b) containing more than 200 words:—

For the first 400 or 200 words As detailed above.

For every subsequent 100 words or less.— An extra charge—

(i) in case of ordinary copies, of Twenty five naya paisa

(ii) in case of urgent copies, of Fifty naya paisa

- (d) in case an applicant desires to have more than one copy of a document, and typed copies can be given, each copy after the first shall be supplied at half the rates prescribed above.

- (e) In the case of a book, register, map or plan or an extract thereof, or any other document the preparation of which requires any special apparatus of skill, the charge shall be fixed in each case by the court with reference to the difficulty or intricacy of the work to be done.

Note (1) If the order sheet contains a judgment of the court, a separate fee is chargeable for a copy of that judgment as given in the rules.

Note (2) Copying fee is not to be charged for each order on the order sheet but a copy of the order sheet is to be furnished as that of any other paper, except a book, register, map, or plan or an extract thereof.

141. *Fees to be paid in stamped paper.*—Except in the case of an application for a copy of a book, register, map or plan or an extract thereof, an application for a copy for which a charge is to be made shall not be entertained unless it is accompanied by a sheet or

sheets of stamped copying paper of the value required under the preceding rule.

The copy shall be written so far as possible upon such sheet or sheets, and if the whole cannot be written thereon, the remainder shall be written upon foolscap paper of durable texture supplied by the Government.

If the copy does not extend over every sheet filed, the head copyist shall make and sign upon each blank sheet an endorsement to the following effect:—

“This sheet was filed with application No. dated”

If necessary stamped paper is not available, Judicial water marked paper with adhesive stamp of the requisite value may be provided instead.

The charge fixed by a court for a copy of a book, register, map or plan or any extract thereof shall be levied and disposed of as such court by written order may direct. Any portion of such charge as may be required for meeting the expenditure on the cost of material required for the preparation of a copy of map, plan etc. and payment of fees to an expert who assists in preparing such copy may be levied in cash. Such portion of the charge as may be required to meet the expenses of the copying department may be levied in stamped copying paper. Any portion of such charge which such court may direct to be levied in stamped copying paper shall be subject to the foregoing provisions of this rule.

If an application for a copy is rejected, the officer-in-charge of the copying department shall at once return to the applicant any stamped paper filed therewith and take his receipt for the same in column 16 of the register of copies (Reg. 7). If the applicant be not present, the officer shall inform him by post of the fact and direct him to appear without delay and take back the stamped sheets forwarded by him with his application provided that he has previously sent a duly stamped addressed envelop.

The officer before returning any stamped sheets shall endorse each sheet with the words “Returned unused to” (being the applicant) and initial them: Stamped sheets so returned may be used by the same applicant in a subsequent application for copy.

These applications for copies shall be consigned to the record-room in monthly bundles on the first day of each month following that to which they relate.

If no applicant appears within 30 days of the date when the letter was sent to him, the officer shall render useless the stamped sheets by folding them down the middle vertically, tearing off the right half of each sheet, destroying it and causing the left half on which is entered the date and number (rule 137) to be filed in the record along with the application. An entry of the fact of destruc-

tion shall be made in the register of copies (Reg. 7) against the application.

142. *Procedure on order for copy.*—As soon as an application for copy is received, entries shall be made by the head copyist in the first nine columns of the register of copies; and the order with the application, if any, and the stamped paper, if any, accompanying the application shall be forwarded forthwith by the officer-in-charge of the copying department to the officer-in-charge of the record, who shall without delay send such order, application and stamped paper and the record to the head copyist, and shall take from the head copyist in a book in the prescribed form (Reg. 8) to be kept for the purpose a receipt containing a note of the date and hour when such record was delivered to him: and the head copyist shall enter in his register of copies the date and hour on which he received the aforesaid paper or record.

As soon as a copy is made, the head copyist shall forthwith return the record, together with the order and the application, to the official from whom he received them; and such official shall forthwith place such order and application in part B of the record.

The head copyist shall at the end of each working day deposit all documents under copying in a locked box to be kept for that purpose. At headquarters such box shall be kept in the record room. When the copy has to be made in the office of a court on tour, the presiding officer shall appoint some person to perform the duties of head copyist.

143. *Form of copy.*—Every copy that is not made on stamped paper shall be made on paper of durable texture supplied at the cost of the Government.

Every copy of a proceeding in a case shall be made with a heading containing the following particulars:—

- (i) name of the court, name and powers of presiding officer;
- (ii) serial number, nature and year of case;
- (iii) name of police station;
- (iv) name, caste, parentage and residence of accused, if any, and in case of copies of judgments, of all accused if there are more than one;
- (v) the number of words in the copy.

When a copy has been made, it shall be signed by the person who made it. If such person is not the head copyist, the head copyist shall then examine the copy and correct it, if necessary; when it is correct, he shall certify it to be a true copy, stamp each sheet of the copy or blank sheet with the stamp of the court or record-room and serially number the sheets. If the head copyist made the copy, such duties shall be performed by some person appointed for the purpose by the officer-in-charge of the copying department.

A copy shall not be certified as a true copy unless it sets out the value of each stamp, if any, upon the original.

A copy shall not be issued to any person until it has been examined, certified, stamped and paged.

144. *Date for delivery of a copy.*—(1) A definite date not ordinarily exceeding seven days ahead shall be fixed for the delivery of the copy and intimated to the applicant. The copy, as far as possible, shall be delivered on the date so fixed.

(2) If for any reason, the copy is not ready for delivery on the date so fixed, the applicant shall be directed to attend on another date, when the copy may be expected to be ready for delivery.

(3) If the copy is not ready and the applicant does not appear on the date fixed, notice of the next date fixed for the delivery of copy shall be sent to him by post, if he has deposited the necessary postal charges. If necessary postal charges have not been deposited, it shall be affixed on the notice board of the court.

145. (1) *Disposal of a copy when ready.*—When a copy is ready, and the applicant or his authorised agent is present, the copy shall be given to him. If the applicant or his authorised agent is not present, a notice over the signature of the head of office shall be affixed to the notice board notifying that the copy is ready for delivery. If from the date of the fixing of the notice, the applicant appears within three months, the copy shall be delivered to him.

(2) If the applicant does not appear within this period, a copy shall be destroyed under the order of the presiding officer, an entry to that effect being made in the remarks column in the register of copying applications (Reg. 7).

(3) A register of applications for copies of record disposed of shall be maintained in the prescribed form (Reg. 9). All copies issued and all applications disposed of without issue of copies shall be entered in this register.

146. (1) *Priority of orders*—Save as provided in these rules, orders made on urgent applications shall have priority over all orders made on ordinary applications; orders on urgent applications and orders on ordinary applications shall have strict priority amongst themselves according to the date and serial number of each order.

(ii) A copy for which an order has been made on an urgent application shall be delivered, as a rule, not later than the working day next after the day on which the order was made.

(iii) A copy for which an order has been made on an ordinary application shall be delivered as a rule, not later than a week after the day on which the order was made.

147. *When copy cannot be supplied.*—In case any difficulty arises in complying with an order for a copy, the order and appli-

ation, if any, shall be laid forthwith before the court for orders with a report by the head copyist. If a copy cannot be given, the court shall direct that the stamped paper, if any, be returned. If the order cannot be completed or complied with by reason of the record being in the Appellate Court or in any other court, it shall be sent on to the court concerned for completion or compliance. In such case the applicant shall be furnished with any copies which may have been prepared, and shall be informed by which court the remaining copies required will be supplied.

148. *Correction of defective application.*—If an application for copy is found defective or does not contain sufficient information to enable the record to be traced or the copying fee filed are insufficient, the applicant shall, if not present, be asked by post (provided that he has previously deposited the requisite postage stamps) to remove the defect within ten days. But if the postage stamps have not been so prepared, the nature or extent of deficiency of information or of copying charges shall be recorded in red ink and pasted on the notice board. On the expiry of ten days from the date of pasting, the application shall, if the defect is not removed, be rejected for default.

CHAPTER XV.

FORMS

149. *Printed forms.*—A list of printed forms authorised for use in Criminal Courts is given in Appendix D. No printed form other than an authorised form shall be used in any court.

150. *Indent for printed forms.*—Non-saleable forms shall be obtained in the following manner:—

In courts sub-ordinate to the Court of the District Magistrate, the indent shall be prepared under the supervision of the presiding officer and shall be submitted to the District Magistrate not later than 15th January. Forms enough to last for a whole year and to leave margin of three months' consumption at the end of that year shall be entered in the indent. When forms are published in book, the number of books should be stated.

The District Magistrate, having received the indents for all courts subordinate to him, shall despatch them with the indent for his own Court in time to admit of their reaching the Superintendent, Press and Stationery by the first March.

Forms for courts at headquarters will be sent, separately packed and labelled for each court, to the District Magistrate. Forms for subordinate outlying courts located at places remote from a railway will be sent to the District Magistrate or to some Magistrate on a line of railway who will cause them to be forwarded to such courts in the manner he may consider most convenient and economical. Outlying subordinate courts located on or near a line of railway will receive their forms direct from the Press.

151. *List and stock of forms.*—The list of authorised printed forms is arranged in parts. The stock of forms shall be stored upon racks or in presses, the forms being arranged in parts and by numbers according to the list.

152. *Stock book of forms.*—(1) A stock-book of printed forms shall be maintained by the Reader or some other clerk of each court in the prescribed form (Reg. 10). A separate page shall be given to each form in use in the court; the balance shall be struck after each transaction, and the balance on 30th June and 31st December, of each year shall be verified by counting the forms on the racks or in the presses, and a note of the verification made on each page of the stock book on the pages relating to those forms of which a stock is in hand.

(2) A register of printed forms shall also be maintained in the prescribed form (Reg. 11).

CHAPTER XVI.

CORRESPONDENCE.

153. *Classification of correspondence.*—The departments into which the correspondence of Criminal Courts should be classified are as follows:—

- (1) Establishment.
- (2) Legal Practitioners
- (3) Processes.
- (4) Bills, Budgets and Accounts.
- (5) Building and furniture.
- (6) Books, maps, forms and stationery.
- (7) Inspection of courts.
- (8) Rules and practice.
- (9) Miscellaneous.

No change in this classification shall be made without the sanction of the High Court.

154. *Arrangement of files*—The correspondence under each head shall be arranged by files; each file shall consist of all the letters received and issued in the course of a consecutive correspondence upon one subject. The letters in each file shall be arranged in chronological order; the first letter received or issued being at the bottom of the file, and the last letter received or issued being at the top.

155. *General Register of correspondence Files.*—(a) As soon as a correspondence file is started, it shall be entered in the general Register of Correspondence Files in the prescribed form (Reg. 12).

(b) This register shall be put up at the end of every month to the Presiding Officer, in order that he may see that unnecessary delay does not take place in any case.

156. *Register of letters received.*—Every letter received shall be docketed and entered in the register of letters received in the prescribed form (Reg. 13). The date of receipt of the letter and its register number shall be entered on the docket in red ink.

157. *Register of letters issued.*—Every letter issued shall be fairly copied; the original draft and the fair copy shall be numbered with the annual serial number, one set of such serial number, running through all the court correspondence for the calendar year; the letter shall then be entered in the register of letters issued in the prescribed form (Reg. 14) and the draft letter shall be docketed, the date of issue and the annual serial number being entered on the docket.

Note:—‘Docketing of a letter’ means entering of the letter in the Office notes portion of the file.

158. *Marking of serial number of letter.*—The serial number of the letter in its file shall also be marked in red ink on the docket of each letter, i. e., the first letter received or issued on a file shall be marked S. No. 1, the second letter received or issued shall be marked S. No. 2 and so on.

When a letter is received or issued, if it pertains to a previously existing file, the file shall be got out, and the next consecutive serial number of the series of that file shall be assigned to the letter.

159. *Office notes.*—Office notes relating to a correspondence shall be maintained in one continuous series and filed together and shall not be interspersed between letters.

160. *Connected files.*—If a letter refers to, or be connected with, another file under the same or another head, that file shall be linked with the file to which the letter pertains, the files being separately tied up, but connected by a piece of tape. The linked files shall remain together until the file containing the reference or connection has been finally disposed of, when they shall be relegated to their proper places, a note being made on each that it was linked with the other on receipt of the latter.

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161. *Division of files into two classes.*—Files shall be divided into two classes, namely:—

- (1) Closed files; that is to say, files in which further correspondence is not expected; and
- (2) Pending files; that is to say, files in which further correspondence may be expected.

162. *Correspondence press.*—A separate press, divided into nine or more compartments, shall be reserved for closed files; and over each compartment the head to which it is appropriated shall be noted. This press shall be known as the ‘Correspondence Press.’

163. *Closed files.*—The closed files pertaining to each head shall be tied together between stiff boards in separate annual bundles of convenient size, and on the upper board shall be written the head and the year, or the portion of the year, to which the bundle relates.

No closed file should be out of its bundle, except when it is in actual use.

164. *Pending files.*—Pending files shall be in two packets: those of—

- (1) files containing references that have been answered or require no answer, and
- (2) files containing references that are unanswered.

As soon as a pending file is closed, the entries in the General Register of Correspondence Files (Reg. 12) relating to it shall be completed, and it shall be entered in the File Index in the prescribed form (Reg. 15) and removed from the packet of pending files and placed in its appropriate compartment in the correspondence press.

165. *File Index*.—In the file index a few pages shall be allotted to each head of correspondence; and to facilitate reference, the righthand margin of the file index shall be so cut and numbered as to show where the entries under each head of correspondence are to be found.

166. *Reopening of closed file*.—If correspondence relating to a closed file be reopened the file shall be withdrawn from the correspondence press and placed among pending files, with which it shall be kept till the renewed correspondence terminates. It shall then be returned to the correspondence press and placed in the bundle for the year, or the portion of the year, in which the renewed correspondence terminated. When a closed file is thus withdrawn and returned, a note of the date of withdrawal at the time the file is withdrawn, and a reference to the bundle in which the file has been placed at the time the file is returned, shall be made in column of remarks against the former entry in the file index (Reg. 15). A slip of paper with a similar note recorded on it shall be placed in the bundle from which the file was withdrawn.

167. *General letters and circulars*.—(a) *General letters and circulars* fall under three categories:—

- (i) General letters and circulars containing no general instructions or orders, but only calling for information or explanation in regard to particular matter (e. g., questions in Parliament or Legislative Assembly or Remarks in Audit Inspection Report).
- (ii) General letters and circulars containing general instructions or orders, but of only ephemeral value, (e. g., declaring a certain day as a special holiday, or saying that the Registrar would be away during a certain period and D. O. letters during this period should be addressed to the Deputy Registrar, or asking that monthly establishment bills for a certain month should be submitted before a certain date).
- (iii) General letters and circulars containing general instructions or orders of permanent or lasting importance, (e. g., saying that applications for leave should be submitted one month in advance of the date from which leave is required or that process-servers are entitled to T. A. when they travel by rail, or that evidence in sessions cases should be recorded in English).

(b) The general letters and circulars falling under the first category shall be treated as ordinary correspondence.

(c) The general letters and circulars falling under the second category shall be kept in one consolidated file without reference to the subject, to which the letter or circular relates.

The file shall be styled Ephemeral Circulars and General Letters.

The general letters or circulars falling under the third category shall be entered in a register called the Register of General Letters, and Circulars (Reg. 16). They shall be, however, filed in separate file books as follows.—

- (1) General letters of High Court (Civil).
- (2) General letters of the High Court (Criminal).
- (2) Circulars of the Government.
- (4) Circulars of the Board of Revenue.
- (5) Circulars of the Accountant-General.
- (6) Circulars of the Inspector-General of Registration and Stamps.
- (7) Circulars of the Inspector-General of Police.
- (8) Other circulars.

To each file-book shall be prefixed an index in which the number, date and subject of each circular shall be entered at the time the circular is filed.

A reference to the entry in the index shall be noted in the Register of General letters and Circulars.

168. *Supply of copies of General & Circular Letters.*—The District Magistrate shall arrange that copies of general letters and circular letters are supplied to all Magistrates in the district.

When any circular relates to the duties of any official, or specially affects the work of any official, an additional copy shall be furnished to such official, who shall paste it into a file book, and shall prefix to the file book, an index containing the particulars mentioned in rule 167.

169. *Correspondence originating in a circular.*—If a circular gives rise to correspondence, the correspondence shall be kept in a separate file, a note being made on the first letter in the file that the circular referred to is pasted into its appropriate file book, and a note bearing reference to the correspondence being recorded on the circular itself.

An extra copy or extract copy of the circular, as the case requires, may be placed on the correspondence file.

170. *Return Press for Periodical Returns.*—A separate press, divided into as many compartments of varying sizes as there are periodical returns; shall be reserved for such return and over each compartment the description of the return to which it is app-

ropriated shall be noted. This press shall be known as the "Return Press."

Correspondence relating to periodical returns shall, like correspondence connected with circulars, be kept in separate files; and, when closed, shall be placed in the correspondence press, a note bearing reference to the correspondence being recorded on the particular return.

171. *Lists of Returns and Reports due.*—In every office a list showing the returns and reports due, the office to which they are sent, and the date they are due shall be hung up near the desk of the chief ministerial officer. A similar list shall be hung up in the chamber of the Presiding officer. Every clerk responsible for preparing a return shall be given a similar list of those returns for which he is responsible and such list shall be hung up near his desk or place in the office.

172. *List of registers.*—In every office, a list showing the registers to be maintained, and the official by whom each such register is to be maintained shall be hung up near the desk of the chief ministerial officer.

A similar list shall be hung up in the chamber of the presiding officer.

Every clerk responsible for maintaining any registers shall be given a similar list of those registers for which he is responsible and such list shall be hung up near his desk or place in the office.

CHAPTER XVII.

REGISTERS.

173. *Schedule of offences.*—For the purposes of maintaining the registers and preparing the statements of regular case-work prescribed by these rules, the following schedule of offences shall be observed.—

SCHEDULE OF OFFENCE.

| Schedule number | Description of offence |
|---|------------------------|
| Part I Cases Punishable under the Indian Penal Code. | |
| 1. Criminal conspiracy | Chap. V A |
| 2. Offences against the State | " VI |
| 3. Offences relating to the army and navy | " VII |
| 4. Offences against the public tranquility | " VIII |
| 5. Offences by or relating to public servants | " IX |
| 6. Offences relating to elections | " IX A |
| 7. Contempts of the lawful authority of public servants. | " X |
| 8. False evidence and offences against public justice | " XI |
| 9. Offences relating to (a) coin and (b) Govt. stamps separately | " XII |
| 10. Offences relating to weights and measures | " XIII |
| 11. Offences affecting the public health, safety convenience, decency and morals | " XIV |
| 12. Offences relating to religion | " XV |

(2) Register of Miscellaneous Police Reports (Reg. 23).

(a) The following register shall be maintained in the courts of Magistrates empowered to transfer cases under section 192, Criminal Procedure Code.—

Register of cases transferred under section 192, Criminal Procedure Code (Reg. 24).

175. *Register of closed registers.*—A Register of closed registers in the prescribed form (Reg. 25) shall be maintained in the record-rooms and in courts where any closed registers are retained.

176. *Register of appeals.*—The following registers shall be maintained in courts having appellate jurisdiction.—

(1) Register of Criminal Appeals (Reg. 26).

(2) Register of Criminal Appeals Disposed of (Reg. 27).

177. *Register of Revisions.*—The following registers shall be maintained in courts having revisional jurisdiction.—

(1) Register of Criminal Revisions (Reg. 28).

(2) Register of Criminal Revisions disposed of (Reg. 29).

178. *Registers.*—The following registers shall be maintained in Courts of Session:—

(1) Register of Sessions cases (Reg. 30).

(2) Register of cases referred under section, 123, (Reg. 31).

(3) Register of Miscellaneous Criminal cases (Reg. 19).

(4) Register of Sessions Cases Disposed of (Reg. 32).

(5) Register of Malkhana Articles (Reg. 21).

179. *Register of witnesses.*—In every court shall be maintained a register of witnesses in the prescribed form (Reg. 33). The following instructions for the maintenance of this register must be strictly carried out:—

(1) At the close of each day (or during the course of the day, if necessary or convenient) or where a case lasts more than one day, at the close of each hearing (or during the course of the hearing, if necessary or convenient) at which witnesses are examined and discharged, the presiding officer shall direct the Court Reader (or any other official) immediately to make the necessary entries in this register in regard to each witness then discharged. In the case of witnesses to whom the court does not order expenses to be paid, a line shall be drawn through columns 13 to 23.

(2) When the presiding officer decides to grant expenses, he shall direct the Sessions clerk (or any other official) at once, in addition to filling in the register (Reg. 33) to draw up the order for payment of diet money in the prescribed form (F. 27). The presiding officer shall see that the entries in the register and the order form agree and then sign the order form. The signed order together with the register (Reg. 33) shall be taken by the court

constable or a court official to the Nazir who shall verify the total of the order against the entries in the register, and enter the amount payable on the order, in column 21 of the register and initial and date each such entry in column 20. If more than one witness has to be paid, he shall bracket the items in column 18 included in the order and enter the total amount of the order against this bracket in column 19 of the register and shall initial and date the entry.

The Nazir shall then pay the amount of the order to the official who brought it and take his acknowledgment on the order form and return to the official the court register duly filled up as above. The official shall take the cash and register to the presiding officer who shall see that the amount paid by the Nazir tallies with the amount in the register, and shall then direct each witness concerned to be called up and paid before him (or his Office Superintendent or Munsarim in the case of District Magistrates and Sessions Courts) by the court constable or the court official. As each witness is paid, his acknowledgment in writing or thumb mark shall be taken in column 21 of the register. When all the witnesses have been paid, the presiding officer (or his office Superintendent or Munsarim in the case of District Magistrate and Sessions Court) shall sign and date the register in column 22.

- (3) A witness shall not be paid nor shall any entry in respect of him be made in the register (Reg. 33) of diet-money until he is discharged. A witness shall not be regarded as discharged if he is allowed to leave the court under orders to attend again in the same court in the same case; and he shall be regarded as in attendance on every day on which he is actually present under orders, even though a case is not called up for hearing on any such day:

Provided that the presiding officer, if he considers that adherence to this rule would involve hardship to any witness may in his discretion pay diet-money to such witness from day to day.

- (4) Every Magistrate shall on the first or second working day of each month send to the officer checking the Nazir's accounts, a note stating in figures as well as in words the total amount paid by him as diet-money to witnesses during the preceding month to enable him to check the Nazir's contingent register.

Note (1):—Diet-money and travelling allowances paid to jurors and assessors shall be entered in this register.

Note (2):—If in any case the payment of diet-money and travelling expenses of a witness have to be made by money order, the money order acknowledgment receipt shall be pasted in the register (Reg. 33) in lieu of payee's signature against the particular entry.

180. *Register for court fees and process fee.*—A register of court fees and process fees (Reg. 34) shall be kept in each court by such officer as the presiding officer may appoint.

180-A (1) A memorandum book of dates for cases (Reg. 35) shall be maintained in all Criminal Courts.

(2) *Memorandum book for all Criminal Courts.*—The entries in this book for each day for different kinds of cases *e. g.* original cases, appeals, miscellaneous cases shall be grouped separately.

NOTE:—The Memorandum book shall be open to inspection by lawyers, registered clerks of lawyers and the parties between hours to be fixed by the Presiding Judge.

CHAPTER XVIII.

PERIODICAL RETURNS AND REPORTS.

181. *Statement to be prepared.*—The Statements prescribed in the following rules shall be prepared by every court concerned. The statements for the courts of all Magistrates in the district other than the District Magistrate, shall be submitted to the District Magistrate. The Statements for the Courts of Assistant Sessions Judges and Additional Sessions Judges shall be submitted to the Sessions Judge.

The District Magistrate shall forward the statements for his district to the Sessions Judge on or before the date fixed for each statement; and the Sessions Judge shall add thereto the statistics of the Court of Session pertaining to the same district, and shall total the figures, and shall forward them along with the statements relating to Court of Session to the Registrar of the High Court on or before the date fixed for each statement.

The statements for the Court of Session shall in every case be submitted to the High Court by the Sessions Judge of the division, whether or not the whole or part of the work in that Court has been performed by an Additional, or Assistant Sessions Judge, or by the Sessions Judge of another division acting as Additional or Joint Sessions Judge.

182. *Intimation if statement be blank.*—When any return or statement required by these Rules to be submitted is blank, a report should be made in the prescribed form (Ret. 2). A blank copy of the return itself should not be sent.

183. *Sessions statement.*—A sessions statement in the prescribed form (Ret. 3) shall be prepared by the Sessions Judge, every month showing all sessions trials concluded or pending at the end of the month. It shall be certified by him to be a full and correct list of all cases disposed of during the month, as well as those pend-

ing at the close of the month. The statement shall be despatched to the Registrar of the High Court not later than the seventh day of the month following that to which it relates, accompanied by copies of judgements in all decided cases bound together with an index showing the number of the case, the name of the presiding officer and an appropriate reference to the page or pages where the judgement is to be found.

184. *Monthly statement.*—A monthly statement in the prescribed form (Ret. 4) shall be submitted by the Sessions Judge, showing criminal work done during the month in his court and the courts of Additional and Assistant Sessions Judges in the Sessions division. The statement shall be submitted along with the Sessions statement (Ret. 3) to the Register of the High Court.

185. *Statement of cases in which judgement is given with delay.*—By the seventh of every month every Magistrate doing criminal work, and every Assistant or Additional Sessions Judge shall submit to the Sessions Judge a statement in the prescribed form (Ret. 5 or 6) of all cases in which in the proceeding month there has been a delay of more than a fortnight in the delivery of judgment since the conclusion of a trial or arguments in an appeal or revision. The Sessions Judge shall scrutinise the statements, pass necessary orders, and report to the High Court such cases as he considers necessary.

For his own court the Sessions Judge shall submit a similar statement (Ret. 6) to the High Court by the seventh date of every month.

186. *Quarterly statement of result of trial.*—A quarterly statement in the prescribed form (Ret. 7 or 8) showing the general result of criminal trials shall be submitted from each district for the first, second and third quarters of the calendar year. It shall be despatched by the District Magistrate to the Sessions Judge on or before the 10th day of April, July or October, as the case may be, and by the Sessions Judge after scrutiny to the High Court on or before the 15th of the same month.

187. *Explanations of delay in trials.*—Together with the quarterly statement (Ret. 7) the District Magistrate shall submit an explanation in the prescribed form (Ret. 9) explaining the cause of delay for each case entered in Column 7 of the Statement. The reader shall fill up from the order-sheet the entries in the form regarding each such case, and the entries shall be checked and verified by the presiding officer of the court. A separate form shall be stated briefly and distinctly, e. g., adjourned for witnesses for defence, summonses not returned from Gwalior, accused under observation by the Civil Surgeon, etc.

The District Magistrate shall record suitable orders on each point requiring notice in each case.

188. *Other annual statements from Magistrates.*—The annual statements hereinafter mentioned shall be prepared for each court of a Magistrate, and consolidated for each district in the office of the District Magistrate. They shall be forwarded by the District Magistrate on or before the 31st day of January of each year to the Judge of the Court of Session, who shall add to the statements excepting No. (iv) and No. (v) below, the statistics of the court of Session pertaining to that district and shall forward the statements so as to reach the Registrar of the High Court on or before the 15th day of February :—

- (i) annual statement (Ret. 10) showing the general result of criminal trials in the tribunals of various classes in the district;
- (ii) annual statement (Ret. 11) showing the punishment inflicted by the various criminal tribunals in the exercise of criminal jurisdiction of the district;
- (iii) annual statement (Ret. 12) showing offences reported and persons tried, discharged, acquitted, convicted and committed by Magistrates of each offence.
- (iii A) Annual Statement (Return No. 12 A) showing the General Result of Criminal cases in the Tribunals of various classes in the District.
- (iv) [deleted]
- (v) annual statement (Ret. 14) showing proceeding of Magistrates under the Code of Criminal Procedure, 1898;
- (vi) annual statement (Ret. 15) concerning witnesses in all courts;
- (vii) annual statement (Ret. 16) showing the result of appeals;
- (viii) annual statement (Ret. 17) showing the result of revisions;
- (ix) annual statement (Ret. 18) showing the number of Sessions Judges and Magistrates employed to dispose of criminal work.

189. *Annual Statements in Sessions Courts.*—The annual statements hereinafter mentioned shall be prepared in the court of Session and shall be forwarded by the Sessions Judge to the Registrar of the High Court on or before the 15th day of February next after the close of the year to which the statements refer :—

- (1) For each district in the Sessions divisions :—
 - (i) annual statement in the prescribed form (Ret. 19) showing the number and result of trials in the Court of Session;
 - (ii) annual statement in the prescribed form (Ret. 20) showing proceedings in the Court of Session under the Code of Criminal Procedure, 1898;

(2) for the Sessions division—

One annual statement in the prescribed form (Ret. 21) showing the use of the juries and assessors in the Court of Session.

One annual statement in the prescribed form (Ret. 22) showing women convicted for the murder of their infant children under six years of age.

190. *Draft Copies of Statements.*—The draft copies of all statements prescribed under rules 185 to 188, prepared in the office of the District Magistrate, shall be available for the use of the Sessions Judge upon his written requisition.

191. *Annual report of Magistrates on criminal administration.*—Together with the annual statements prescribed in rule 188, the District Magistrate shall submit an annual report (Ret. 23), in which he shall notice the main features in the administration of criminal justice in his district during the preceding year, the quantity and quality of work performed by Honorary Magistrates, the method of disposal of cases by sub-ordinate Magistrates, the extent to which effect has been given to the rules regarding records and the record-room, the effect of recent legislation and rules on the working of the criminal courts, and other points connected with the administration of criminal justice which may seem to him to be worthy of notice or record. The report shall be type-written, and any remarks which the Sessions Judge shall deem it necessary to record shall be made in a forwarding letter.

192. *Annual report from Sessions Judge.*—Together with the annual statements prescribed in rule 189, the Sessions Judge shall submit an annual report (Ret. 24) in which he shall notice the main features in the administration of criminal justice before himself and any other Judge of the Court of Session, the date on which he sat with the Collector to revise the lists of assessors and jurors and the number of assessors and jurors left on such lists after the revision, the extent to which effect has been given in the Court of Session to the rules regarding records and the record-room, the effect of recent legislation and rules upon the working of the criminal courts, and other points connected with the administration of criminal justice which may seem to him to be worthy of notice or record.

193. *Judge and Magistrate to leave notes for annual report.*—A Sessions Judge before leaving his division and a District Magistrate before leaving his district, on transfer or otherwise, towards the end of the year, shall place on record for the information of his successor and for the purpose of the annual report a minute embodying any points which he would have noticed in the annual report had he remained to the end of the year.

194. *Check over entries of receipt of money.*—The presiding officer of each court shall before the 15th of every month prepare a statement (Ret. 25) showing the amounts of receipts under the res-

pective revenue heads which were credited into the treasury during the previous month, and shall send the statement to the local treasury. The treasury officer shall check the totals with his accounts; and if he finds them correct, he shall certify on the statement to that effect. If there be any discrepancy, he shall note the same upon the statement. The treasury officer shall in either case return the statement to the court from which it was received. The discrepancies, if any, pointed out by the Treasury Officer shall be reconciled and after the statement has been duly verified it should be submitted to the District Magistrate, or the Sessions Judge as the case may be, who, as Controlling Officer, will see that the dues of Government are regularly paid into the treasury.

CHAPTER XIX. PETITION WRITERS.

195. *Persons who cannot be petition-writers*.—No official of any Court and no person employed in any institution connected with the Court whether as Clerk, Copyist or peon or in any other capacity shall write petitions.

196. *Persons who can write petitions*.—No person shall for remuneration of any kind write petitions for presentation in any criminal Court unless he—

(a) has been duly licensed by the Presiding Officer of a Court having authority to grant such licence under these rules ; or

(b) is a legal practitioner ; or

(c) is a clerk to a legal practitioner and writes the petition in the course of such employment in respect of the cases in which the legal practitioner is engaged provided the petition is signed by the latter.

197. *Number of petition-writers to be fixed by the High Court for every place*.—The number of petition-writers licensed to practise at any place shall not exceed the number fixed from time to time by the High Court.

Pending any further orders under this rule, the number of petition-writers licensed to practise at any place, at the commencement of these rules, shall be deemed to be the number fixed for the place.

198. *Who can grant a licence to practise*.—(a) In the case of combined civil and criminal courts like Civil and Sessions Courts and Munsiff-Magistrates Courts, the petition-writers appointed for the Civil Court shall act for the attached Criminal Court also.

(b) (i) In the case of Magisterial Courts sitting at the headquarters of the District Magistrate, licence to practise shall be given by the District Magistrate.

(ii) In the case of Magisterial Courts sitting at the headquarters of the Sub-Divisional Magistrate but not at the headquarters of

the District Magistrate licence to practise shall be given by the Sub-Divisional Magistrate.

(iii) In the case of Magisterial Courts sitting at places which are not the headquarters of the District Magistrate or the Sub-Divisional Magistrate licence to practise shall be given by the Sub-Divisional Magistrate, and where there is no Sub-Divisional Magistrate, by the District Magistrate.

199. *Grant of a licence and fee therefor.*—A person wishing to practise as a petition-writer within the precincts of the Criminal Courts must present a petition bearing a proper Court-Fee Stamp, to the Presiding Officer of the Court which has authority to grant the licence.

Every petition-writer licensed under these rules shall pay a fee of Rs.5/- per year payable in advance. The licence, if granted, shall be in the prescribed form (F. 28).

200. *Qualifications for a licence.*—Licence shall not be given unless the applicant shows:—

- (a) that he is of respectable character ;
- (b) that he has a good knowledge of Hindi and can draw up a clear, straight forward petition, complaint or memorandum of appeal in Hindi ;
- (c) that his hand-writing is easily legible.

201. *Scale of Charges of writing petitions.*—The District Magistrate, in consultation with the Additional District Magistrate (if any), the Sub-Divisional Magistrate and other First Class Magistrate at his headquarters and the President of the local Bar Association shall fix scales of charges for writing petitions, complaints and memoranda of appeals, which shall also be applicable in the case of petition-writers practising in the outlying Criminal Courts.

A copy of the scale of charges fixed shall be sent by the District Magistrate to the High Court for information.

No petition-writer shall ask for or accept a fee in excess of the sanctioned scale.

A table in Hindi of the prescribed scale of charges shall be exhibited in a conspicuous place outside the court house and a copy shall also be kept by the petition-writer always in public view at the place where he sits.

The petition-writer shall always endorse the amount actually received by him below his signature on the petition-written by him.

If any petition-writer asks or accepts a fee in excess of the sanctioned scale either for himself or for any other person connected with the court, the District Magistrate or the Sub-Divisional Magistrate competent to grant licence, on complaint being made to him may, in his discretion, withdraw his licence and may also order the return of the amount received in excess in addition to taking any legal steps that the nature of the case may require.

202. *Formalities to be complied with by a petition-writer.*—Every petition-writer shall write out a brief note of the contents of the petition as a head note to the same, quoting specially the law, section or rule under which the petition is made. He must record precisely what he is asked to write in plain and simple language such as the petitioner can understand and refrain from introducing additional irrelevant, imaginary or fabricated matter of his own conception. He shall record at the foot of every petition written by him other than a petition of a merely formal character, a declaration under his signature that to the best of his knowledge and belief the petition expressed the true meaning of the petitioner to whom the contents thereof have been fully explained.

203. *Amending or redrafting of a petition.*—Every petition-writer shall comply with the order of a court as to the amending or the redrafting of a petition or other paper drawn up by him.

204. *A petition-writer to keep an official seal and a register of petitions.*—Every petition-writer shall at his own expense provide himself with an official seal to be made under the direction of the Court which has granted him the licence, on which shall be engraved his name and the year in which he was licensed. He shall also keep a register in the prescribed form (Reg. No. 37) and shall enter therein every petition written by him and shall produce the register for the inspection of any court demanding it.

205. *Every petition to be signed and sealed by the petition-writer.*—Every petition writer shall sign and seal with his official seal every petition written by him and shall enter in it the number which it bears in his register and the fee which has been charged for it.

206. *Maintenance of a register of licensed petition-writers and ban on the writing of petition by unregistered writers.*—A register in the prescribed form (Reg. 36) of licensed petition writers shall be maintained by such official in each court as the District Magistrate or Sub-Divisional Magistrate may depute and it shall be his duty to see that the precincts of the Court are kept free of all unregistered writers and that no one writes petitions for remuneration within the court compound.

207. *Yearly production of licence for the inspection of the Court.*—Every petition-writer shall in the month of August each year produce his licence for the inspection of the court which granted it. A note of such inspection shall be endorsed on the licence under the signature of the Presiding Officer.

208. *Grounds for revoking a licence.*—(1) A licence issued under these rules may be revoked by the Court which granted it on any of the following grounds:—

(a) that the petition-writer has not attended the court regularly ;

(b) that the petition-writer has become a legal practitioner's clerk, or has taken up some other employment ;

(c) that the petition-writer has failed to produce his licence for the annual inspection of the Court as required by rule 207.

(d) that the petition-writer is a tout, as defined in the legal Practitioners Act, 1879, (Act XVIII of 1879) ;

(e) that the petition-writer has not paid his annual fee ;

(f) that the petition-writer has been found guilty of abetment of, or participation in any illegal transaction or unfair dealings.

Or

(g) that the petition-writer has been found guilty of disobedience of a lawful order.

(2) Such licence may also be revoked for any other good cause to be recorded by the Court revoking the permission.

(3) No appeal shall lie from any order passed by a court under Sub-rule (1) or Sub-rule (2), but the High Court may in its discretion revise any such order and in place thereof pass such order as it thinks fit.

209. *A petition writer not to enter any room in a Court.*—No petition writer, shall, without the permission of the Presiding Officer, enter any room in a Court in the precincts of which he is entitled to practise.

210. *Penalty for practising as a petition-writer without licence*—Any person who practises as a petition-writer without obtaining a licence under these rules, or while the licence is suspended, and every petition-writer who practises as such without getting his licence renewed, shall be liable to a penalty not exceeding fifty rupees.

211. *Imposition of penalty.*—(1) The penalty prescribed by Rule 210 may be imposed by the Court authorised to grant the licence but no penalty shall be inflicted unless the person charged has had an opportunity of defending himself.

(2) No appeal shall lie from any order passed by a court under sub-rule (1), but the High Court may, in its discretion revise any such order and in its place pass such order as it thinks fit.

212. *Grant of leave of absence to a petition-writer.*—The Senior most Magistrate at any place may grant leave of absence for any period to a petition-writer at that place and may grant a temporary licence to any competent person of good character to act as petition-writer during such absence or for such period thereof as he may deem necessary.

213. All existing rules or regulations relating to matters which are provided for in these rules are hereby cancelled ; provided that licenses issued under the rules so cancelled, shall be deemed to have been issued under these rules and shall remain effective till the end of the current year.

APPENDIX A.

A. (I) List of forms Prescribed by the General Rules (Criminal), 1952.

| S. No. | Particulars | Reference to rules |
|--------|---|--------------------|
| 1 | Order Sheet | 15 |
| 2 | General Index | 16 (a) |
| 3 | Index of exhibits | 16 (b) |
| 4 | Cover or title page in original cases | 25 |
| 5 | Letter reporting committal of cases to Sessions .. | 28 |
| 6 | Calender of a case committed to the Sessions | 28 |
| 7 | Statement of the result of the Sessions trial showing the prisoners punished and acquitted by the Sessions Judge. | 32 |
| 8 | Daily cause List | 40 |
| 9 | Memorandum of identification of Suspects | 46 |
| 10 | Identification of property | 46 |
| 11 | Letter submitting records for confirmation of sentence of death | 48 & 49 |
| 12 | Form of classification of convicts | 54 |
| 13 | Challan for deposit of fine, compensation etc. | 56 |
| 14 | Court receipt book | 61 |
| 15 | Fly leaf | 63 |
| 16 | Cover in appeal or revision cases | 72 |
| 17 | Requisition for record | 73 & 101 |
| 18 | Notice to appellant and to the officer appointed by the Government under Section 422, Criminal Procedure Code. | 74 |
| 19 | Covering docket under which a notice to appellant in Jail is to be sent | 76 |
| 20 | Certificate on the General Index before transmission of record | 84 |
| 21 | Form for transmission of record | 87 & 105 |
| 22 | List of regular/miscellaneous/complaints dismissed cases sent to the record room. | 88 |
| 23 | List of police reports and miscellaneous proceedings not filed with the record of a regular case. | 88 |
| 24 | List of records consigned to the record-room. | 88 |
| 25 | Application for inspection of a record | 123 |
| 26 | Application for copy of record | 139 |
| 27 | Order for payment of diet money | 179 |
| 28 | Licence for stenographers and shorthand writers | 199 |

APPENDIX A

A (2) SPECIMENS OF FORMS PRESCRIBED BY THE GENERAL
RULES (CRIMINAL), 1952.

FORM No. 1

(Rule 15)

ORDER SHEET

Court of.....at.....

$$V_s$$

Kind of Case.....

Number of Case..... Year.....

| Date | Order with initials of Presiding Officer | Brief note of compliance of the order. |
|------|--|--|
| | | <div data-bbox="768 479 919 485" style="text-align: right;"> 14-00000 </div> |

FORM No. 2

(Rule 16(a))

GENERAL INDEX

Court of the.....

| Number of Case | Name of | | Charge | Date of | |
|----------------------|-------------|---------|--------|-------------|----------|
| | Complainant | Accused | | Institution | Decision |
| | | | | | |

LIST OF PAPERS.

| A. Part | | | | | B. Part | | | | | |
|------------|---------------|-------------|-----|-------|------------|---------------|-------------|-----|--------|--|
| Serial No. | Name of Paper | C. F. Label | | Pages | Serial No. | Name of Paper | C. F. Label | | Pages. | |
| | | No. | | | | | No. | | | |
| | | | Rs. | a. | | | | Rs. | a. | |
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| Total .. | | | | | Total .. | | | | | |

Certified that the papers in the file have, on examination, been found to be in accordance with the entries in the index that Court-fee stamps worth Rs..... are affixed, that all orders have been carried out, and that the file is complete in every respect.

Dated.....

Reader.

FORM NO. 3

[Rule 16 (b)]

INDEX OF EXHIBITS

In the Court of.....

Case No..... of 19 .

..... Vs.....

| S. No. | Description of Exhibits | Date of Filing | Exhibit number in the court of the Magistrate and by whom first proved | Filed in the court of the Sessions Judge & by whom first proved | Remarks. |
|--------|-------------------------|----------------|--|---|----------|
| 1 | 2 | 3 | 4 | 5 | 6 |
| | | | | | |

FORM No. 4

(Rule 25)

COVER OR TITLE PAGE IN ORIGINAL CASES.

1. Name of Court
2. Name of the Presiding Judge.....
3. Powers.....
4. Number and year of the case.....
its nature, i. e., whether regular or miscellaneous.....
5. Police Station....
6. Name of Complainant (s).....
7. Name of accused.....
8. Date of Institution.....
9. Date of decision.....
10. Offence with section :
(i) Mentioned in report or initial complaint...
(ii) According to Judgment.....
11. Class of Record.....
(Rule 93)

FORM No. 5.

(Rule 28) :

Letter reporting committal of case to Sessions
No.....of 19

Sessions Judge of

THE.....
Deputy Registrar, High Court of Judicature for Rajas-
than at Jodhpur.
Jaipur Bench.

SIR,

I BEG to report that I have this day committed.....
to the Sessions Court, on charge under section.....
High

2. There are witnesses for the prosecution
and for the defence; and days
are necessary for me to secure their attendance in the Sessions
High
Court.

3. I request you will have the goodness to intimate to me
and to the Government Prosecutor on what day they should be
directed to attend the Court.

4. It will probably take $\frac{\text{days}}{\text{hours}}$ to complete the trial.

Yours faithfully,

M a g i s t r a t e.

Date of crime.....

Date of apprehension.....

| Serial number | Number and year of case | Kind or case | Names of parties | | | Name of the lawyer for the first party | Name of the lawyer for the opposite party | Purpose | Remarks |
|---------------|-------------------------|--------------|------------------|---|---|--|---|---------|---------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | | |

FORM NO. 9.

(Rule 46).

Memorandum of identification of suspects.

Memorandum of identification proceedings of following accused
conducted on _____ at _____

| Name, parentage and residence of the accused. | Offence | Any distinctive marks likely to affect identification. | Steps (if any) taken by the Magistrate conducting the proceeding re. column 3. | Date of admission into the Jail (or on bail.) | Name, parentage and residence of the witness. | Name or description of the person he came to identify (in his own words). | Name of the accused correctly identified | Wrong person pointed out (if any). | Observation of the witness or the accused | Magistrate's remarks about demeanour of witness |
|---|---------|--|--|---|---|---|--|------------------------------------|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |

The person to be identified was mixed up with other
persons were

undertrial prisoner. All were made to stand in a circle. They were
persons.

made to wear the clothes in which they were originally admitted to the jail (with the exception of the changes mentioned in column 4). No fetters were on. The accused were given the option to change places at will, but were not allowed either to conceal their faces or stature so as to impede recognition and to exchange their clothings. The witnesses were called in one by one and asked to single out the person or persons they had come to identify and to mention the action for which they identified him or them. Every precaution was taken to ensure that no succeeding witness communicated in any manner with the preceding one. The result of the proceeding was as follows:—

Remarks of the Magistrate who conducted the proceeding on the following points:—

(1) Was the Superintendent of Jail informed at the time of the admission of the accused to the jail lock-up that his identification would be conducted later on.

(2) Step taken by the Jail authorities to ensure the proper conduct of the proceedings.

(3) Any other point.

Dated : _____ 19 _____ Magistrate, I Class.

N.B.—It is very useful to note whether the witness knew the name of the person he had come to identify or he only described him in some such way as the man who was standing at the door at the time of the dacoity. The witness is not to be asked in a general way.

“Identify whomsoever you know.”

FORM No. 10.
(Rule 46)

Identification of property held at in crime No. under section
of Police Station District in the Court of
Magistrate 19 at a m./p.m.

Class, on

| Serial Number | I | II | III | IV | V | VI | VII | VIII | IX | X |
|---|---|----|-----|----|---|----|-----|------|----|---|
| Name of accused from whom recovered. | | | | | | | | | | |
| Name of article to be identified | | | | | | | | | | |
| Number of articles mixed | | | | | | | | | | |
| Any condition of the article which is likely to affect identification of Proceedings. | | | | | | | | | | |
| Precautions taken regarding above | | | | | | | | | | |

Result.

Names of witnesses with parentage Court Moharrir/Police constable No. of my Court Police

1. The property to be identified was brought by The articles to be mixed up were brought by Station in sealed bundles (mention the receipt) from The witnesses were called one by one, every precaution was taken in sealed bundles. The Seals were intact and were opened before me. The witnesses were called one by one, every precaution was taken to ensure that no succeeding witness communicated in any manner with preceding one.
2. The articles mixed up were similar in appearance to those for identification except in details given in remarks column. Magistrate..... accused.
3. was present on behalf of prosecution..... was/were present on behalf of Magistrate..... Date.....

FORM No. 11.
(Rules 48 and 49)

From,

No..... ..

To,

The Sessions Judge,

The Deputy Registrar,
High Court of Judicature for
Rajasthan,
Jodhpur/Jaipur Bench.
Dated..... 195

Sir,

As required by law I submit to the High Court my proceedings in the case.....being trial No. of of the.....district for confirmation of the sentence of death passed upon

I have satisfied myself that the prisoner (or Prisoners)
has (or have) funds to employ counsel in the High Court.
has (or have) no funds

The records of the Police investigation and of the enquiry by the Magistrate and all connected papers accompany the proceedings.
Yours faithfully,
Sessions Judge.

FORM No. 12.
(Rule 54)

FORM OF CLASSIFICATION OF CONVICTS.

Classification of convict.....

son of..... convicted by (Name of the Court and the presiding officer).....
section or sections under which convicted
.....
sentencedate of
sentence.....professional
criminal or not.....
hereditary criminal or not
specially dangerous criminal or not.....
crime for which convicted, "organised" or not.....
registered member of a criminal tribe or not

1. Whether to be treated as :

habitual.....
casual.....
"A" Class.....
"B" Class.....
"C" Class.....

(Strike out the entries not required).

2. If imprisoned for failure to furnish security under section 110 Code of Criminal Procedure, 1898, number of items previously convicted under Chapter XII, XVI, XVII and XVIII of the Indian Penal Code, or required to furnish security under section 110.

3. In the case of convicts sentenced to rigorous imprisonment or transportation for a term of five years or more, a brief history of the case (copy to be kept in district office) to be prepared by the District Magistrate with the assistance of the police showing the nature of the crime, the previous conduct and associations of the convict and other similar matters affecting question of premature release whenever it may arise.

Station.....

Dated

Magistrate.

FORM No. 13.

(Rule 56.)

Challan for deposit of fine, compensation etc.

| By whom tendered | Name & Designation of the person on whose behalf money is paid | Full particu- lars of remi- ttance & of authority | Amount Rs. as. p. | | | Head of Account | Order to the Bank |
|------------------------|---|--|--------------------------|--|--|-----------------------|--|
| Signature. | Total | | | | | | Date..... Signature with full designation of the officer ordering the money to be paid. |
| | | | | | | | |

Total (in figures)

Total (in words)

Treasurer.

Accountant.

Date ..

Received

Treasury Officer.

| Particulars | Amount. | | |
|----------------------|---------|-----|-----|
| | Rs. | As. | Ps. |
| Coins. | | | |
| Notes with details. | | | |
| Cheques with details | | | |
| Total | | | |

FORM No. 14.

(Rule 61)

COURT RECEIPT BOOK

Receipt No.

Book No.

Receipt No.

Book No.

Received from

1. Date of receipt.
 2. Officer who ordered payment.
 3. Serial number of entry in Register No. 2 and year of series.
 4. Amount for which receipt is issued.
 5. To whom issued.
 6. On what account.
 7. How amount should be credited.
 8. Treasury or sub-treasury into which amount was or is to be paid.
 9. Number and date of treasury or sub-treasury acknowledgment.
 10. Remarks.

pies

annas

rupees

the sum of

(Rs.) on account of

day of 19

Dated the

Presiding Officer.

Presiding Officer.

Cashier.

Cashier.

FORM No. 15.

(Rule 63)

FLY-LEAF.

| Month | Serial numbers of receipts | Total of the amounts for which receipts have been issued | Amount how credited | | Signature of Presiding Officer | Signature of Officer in charge of treasury or sub-treasury | Remarks. |
|-------|----------------------------|--|---------------------|--------------------------------|--------------------------------|--|----------|
| | | | To Gover-ment | To Muni- cipal and local funds | | | |
| | | | | As deposit | | | |

FORM No. 16

(Rule 72)

Cover in appeal or revision cases.

1. Appeal number of 19
2. Date of Institution.
3. Date of disposal.
4. In the Court of
5. Name of appellant or applicant.
6. Name of respondent.
7. Class of record, vide Rule 93.
8. Particulars of the case appealed against.
 - (i) Name of the court and name of the Presiding Judge.
 - (ii) Number and year of the case.
 - (iii) Date of Institution.
 - (iv) Date of disposal.
 - (v) Regular or miscellaneous.
 - (vi) Police Station.

FORM No. 17.

(Rules 73 and 101)

Requisition for Record.

Court of the at V

Case No. of

To Dated the 19

Kindly transmit to this Court the record specified below. I have satisfied myself that the production of the original record is actually necessary. % *The record should reach this Court before 19 , the next date of hearing.

*Note :- Original records should not be called at the instance of a private party, if certified copies are admissible in evidence to prove facts, for the proof of which the record is required.

Particulars of records sent for

| Of what Court | Kind of case | No. and Year | Title | Date of Disposal | Remarks. |
|---------------|--------------|--------------|-------|------------------|----------|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

Designation

% Order of the Officer by whom requisition is received;

FORM No. 18.

(Rule 74.)

Notice of appeal under Section 422, Criminal Procedure Code.

In the Court of the District Magistrate
Sessions Judge.
District.

Dated

day of

195 .

S T A T E

Versus

Appellant.

Appeal against the decision dated...
of.....in case No.....
.....Offence u/s.....Pursuant to section 422, Act No. V of 1898; notice is hereby
given that the appeal of the appellant named above will be heard
and disposed of by this Court at.....
.....on the.....
.....() day of.....195 .Magistrate
Sessions Judge.

To*

*Here enter name of the appellant or his pleader, or if appellant be in Jail,
the Superintendent of the Jail on the one side; for notice on the side of the State
enter the name of the Government pleader.

FORM No. 19.

(Rule 76)

Covering docket under which a notice to appellant in Jail is
to be sent.Sessions Judge's
Magistrate's Office :

No. 195 .

Dated the 195 .

From

To

The Superintendent,

Jail.

Sir,

I have to forward the enclosed notice in duplicate with the

request that it may
be served on the mar-
ginally noted appel-
lant, at present a pri-
soner in your jail,

and returned to this Court duly endorsed before the date fixed for hearing.

Yours faithfully,
Sessions Judge.
Magistrate.

FORM No. 20.

(Rule 84)

CERTIFICATE ON THE GENERAL INDEX BEFORE TRANSMISSION OF RECORD.

Certified that the papers in the file have, on examination, been found to be in accordance with the entries in the index, that court-fee stamps worth Rs. are affixed, that all orders have been carried out, and that the file is complete in every respect.

Record Keeper.

Reader.

Dated.....19 .

FORM No. 21.

(Rules 87 and 105).

FORM FOR TRANSMISSION OF RECORD.

From

To

Dated.....the.....19 .

Your requisition letter No. Dated..... in..... case No. of..... in your Court..... V..... was received here on..... The following record is herewith forwarded. Kindly acknowledge receipt of the record on the duplicate of this letter attached hereto. The original record may please be returned without delay after it is done with.

| S. No. | PARTICULARS OF RECORDS SENT | | | | | Remarks |
|--------|-----------------------------|--------------|--------------|-------|------------------|---------|
| | Of what Court | No. and Year | Kind of case | Title | Date of disposal | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | | | | | | |

.....
Designation.....

ACKNOWLEDGMENT OF RECEIPT OF RECORDS.

The record detailed above was received in this Court on.....
and has been entered in the Register of Records received under
number.....and date.....

Dated.....19
Designation.....

| Date of receipt of record | Date of return of record | Remarks |
|---------------------------|--------------------------|---------|
| | | |

No..... Dated.....19
From.....
.....
To.....
.....

The record detailed on the reverse is returned herewith.
Kindly acknowledge receipt.

.....
Designation.....

ACKNOWLEDGMENT OF RECEIPT OF RECORD.

No..... Dated.....

The record detailed on the reverse has been received in this
Court (Record Room)

.....
Designation.....

FORM No. 22.
(Rule 88)

List of record of* Cases sent to the Record Room on.....19 , from the Court of.....

| Serial Number in the list. | Kind of case as per original application | Number with Register of cases disposed of | Date of disposal. | Name of complainant. | Name of accused. | Police Station. | Section and law under which charged. | Class of record (Rule 93). | Number of case in the register of Institution. | Date of Institution | Number of pages in | | Date of Destruction | | Remarks. |
|----------------------------|--|---|-------------------|----------------------|------------------|-----------------|--------------------------------------|----------------------------|--|---------------------|--------------------|---------|---------------------|---------|----------|
| | | | | | | | | | | | Part A. | Part B. | Part A. | Part B. | |

| | | | | | | | | | | | | | | | | |
|---|--|--|--|--|--|--|--|--|--|--|----|----|----|----|----|----|
| 1 | | | | | | | | | | | 11 | 12 | 13 | 14 | 15 | 16 |
| | | | | | | | | | | | | | | | | |

*Write 'Regular', 'Miscellaneous' or 'Complaints dismissed' as the case may be.

Pleader's signatures

FORM No. 23.
(Rule 88)

List of Police Reports and Miscellaneous proceedings not filed with the record of a regular case.

| Register Number | Name of complainant. | Name of accused | Number of papers | Date of destruction | Remarks |
|-----------------|----------------------|-----------------|------------------|---------------------|---------|
| 1 | 2 | | 4 | 5 | |

Pleader's signatures.

FORM No. 24.
(Rule 88)

INVOICE OF RECORDS CONSIGNED TO THE RECORD ROOM.

| I N V O I C E | | Invoice of Records Consigned to the Record Room | |
|---|-------------------|---|--|
| Serial number. | Date of despatch. | Serial number | Dated |
| | | | 19 . |
| | | Number of files. | |
| | | Entered in the list of Police reports and Miscellaneous Proceedings. (F. No. 23) | Entered in the list of Regular and Miscellaneous cases etc. (F. No. 22.) |
| | | Class I | Class II Class III |
| (1) With list of Police Reports and Miscellaneous Proceedings not filed with the record of a regular case (F. No. 23) | | | |
| (2) With list of Regular and Miscellaneous cases (F. No. 22) | | | |
| | | Reader's Signature. | |

I, record-keeper, do acknowledge receipt of the aforesaid files and do hereby certify that the number of files entered in each list corresponds with the number actually received.

Signature of Reader.

Signature of Record-Keeper.

FORM No. 25.

(Rule 123)

APPLICATION FOR INSPECTION OF A RECORD

In the Court of.....

APPLICATION FOR INSPECTION OF RECORDS

I beg to apply for permission to inspect the record of the case mentioned below.

I am *.....
in the case.

% The application is @.....

Particulars of the record of which inspection is sought

1. Of what Court.
2. Kind of case.
3. Number and year.
4. Names of parties.
5. Date of decision (or hearing if pending).

Signature

Note—*Here enter whether applicant is the complainant, accused etc. or the complainant's /accused's /agent or counsel, as the case may be or (if the applicant is not a party—or his agent or counsel) that he is not a party to the case.

% If the applicant is not a party or his agent or counsel, the reasons for which he wants an inspection should be stated here.

@ Here enter 'ordinary' or 'Urgent'.

FORM No. 26.

(Rule 139)

APPLICATION FOR COPY OF RECORD.

in the Court of.....

APPLICATION FOR GRANT OF COPIES OF RECORD

In..... Case No..... of.....

Decided

on.....

Fixed for hearing

Kindly grant me certified copies of the papers named in
copy

the following list from the record of the above mentioned case for which I tender copying sheets of the value of

Rs. annas.....

The application is.....

% I am.....in the case.

LIST.

1. Serial number.
2. Description of paper of which copy required.

3. Number of copies required.

4. Object for which copy is required or ground upon which application should be granted.

.....
Signature of applicant,

Note—* Here state whether the application is 'urgent' or 'ordinary'

% Here state the applicant's status in the case, if he is not a party to the case, state so.

In every application sent by post, the following particulars should be noted.

1. Full address of the applicant.

2. Whether the applicant wants the copy to be sent to him by post.

Sufficient Stamps should be sent if the copy is to be sent by post.

FORM No. 27

(Rule 179)

ORDER FOR PAYMENT OF DIET MONEY.

To

THE NAZIR,

Please pay Rs. for diet-money and expenses to complainants and witnesses in the case mentioned below:—

| Date | Number of case and names of parties | Amount of diet-money etc., required | Signature of the official receiving the money from the Nazir | Remarks. |
|------|-------------------------------------|-------------------------------------|--|----------|
| | | Rs. np. | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

Total.....Rupees (in words).....

Dated19 ..

Presiding Officer
of the Court.

FORM No. 28.

(Rule 199).

(OVERSE)

LICENCE FOR PETITION-WRITERS.

In the Court of _____ Magistrate
 The petition-writer _____, son of _____
 is hereby authorised to sit in the compound of the
 Criminal Courts at _____ and to write petitions.

The holder of this licence is required to abide by the following
 rules as a condition of the licence remaining in force:—

- I. He shall regularly pay a yearly fee of Rs. 5/- (in advance).
- II. He shall regularly attend the Court.
- III. He shall not carry on the profession of a tout as defined in the Legal Practitioners Act, 1879, (XVIII of 1879), or accept the clerkship of a legal practitioner.
- IV. He shall not charge remuneration for writing petitions in excess of what is laid down in the scale of fees drawn up by the District Magistrate a copy of which must be kept by him in public view.
- V. He shall not make any demand from any person in the name of any person or persons connected with Court or accept any sum on their behalf.
- VI. He shall sign each petition or paper drawn up by him and endorse thereon the amount of fee received by him.
- VII. He shall write petitions legibly and observe the instructions relating to the writing of petitions and shall comply with the order of a court as to the amending or redrafting of a petition or other paper drawn up by him.
- VIII. He shall not keep any private copy of any petition, plaint or memorandum of appeal which he writes.
- IX. On breach of any of the above conditions, the licence shall be cancelled by the Court which granted it after giving sufficient opportunity to the petition-writer to explain his conduct.

FORM No. 28

(REVERSE)

NOTE OF PAYMENT OF RENEWAL FEE.

| Date. | Amount. | Voucher No. and date. | Signature of Magistrate. |
|-------|---------|-----------------------|--------------------------|
| 1 | 2 | 3 | 4 |
| | | | |
| | | | |

APPENDIX B.

B (1) LIST OF REGISTERS PRESCRIBED BY THE GENERAL RULES (CRIMINAL), 1952.

| Serial No. | PARTICULARS. | Reference to Rules |
|------------|--|--------------------|
| 1 | Letter delivery book | 47 |
| 2 | Register of fines, compensation, deposits, penalties and fees | 55 & 65 |
| 3 | Register of requisition for records | 106 |
| 4 | Register of records requisitioned and returned | 112 |
| 5 | Register of records taken by the presiding officer for examination | 117 |
| 6 | Register of applications for inspection of record. | 131 |
| 7 | Register of applications for copies of record | 134, 141 & 145 |
| 8 | Register of records handed over to the head copyist | 142 |
| 9 | Register of applications for copies of record disposed of | 145 |
| 10 | Stock book of printed forms | 152 |
| 11 | Register of printed forms | 152 |
| 12 | General register of correspondence files | 155 |
| 13 | Register of letters received | 156 |
| 14 | Register of letters issued | 157 |
| 15 | File Index | 164 & 166 |
| 16 | Registers of general letters and circulars ... | 167 |
| 17 | Register of complaints | 174 |

APPENDIX B. (*Contd.*)

| Serial No. | PARTICULARS. | Reference to Rules |
|------------|---|--------------------|
| 18 | Register of regular Criminal cases | 174 |
| 19 | Register of miscellaneous Criminal cases: | 174 & 178 |
| 20 | Register of regular Criminal cases disposed of. | 174 |
| 21 | Register of Malkhana articles | 174 & 178 |
| 22 | Register of police reports of offences | 174 |
| 23 | Register of miscellaneous police reports ... | 174 |
| 24 | Register of cases transferred under section 192, Criminal Procedure Code | 174 |
| 25 | Register of closed registers | 175 |
| 26 | Register of criminal appeals | 176 |
| 27 | Register of criminal appeals disposed of | 176 |
| 28 | Register of criminal revisions ... | 177 |
| 29 | Register of criminal revisions disposed of | 177 |
| 30 | Register of Sessions cases | 178 |
| 31 | Register of cases referred under section 123, Criminal Procedure Code | 178 |
| 32 | Register of Sessions cases disposed of ... | 178 |
| 33 | Register of witnesses | 179 |
| 34 | Register of Court-fees and process-fees | 180 |
| 35 | Memorandum book of dates for cases | 180-A |
| 36 | Register of petitions-writers | 206 |
| 37 | Register of petitions to be maintained by licensed petition-writers | 204 |

APPENDIX B.

B.—(2) Specimen forms of Registers prescribed by the General Rules (Criminal), 1952.

REGISTER No.

(Rule 4)

Court of _____

LETTER DELIVERY BOOK.

| Date | Number of letters etc. | Address | Signatures of recipients. |
|------|------------------------|---------|---------------------------|
| 1 | 2 | 3 | 4 |

REGISTER No. 2.

(Rule 65)

Register of fines, compensation, deposits, penalties, and fees.

| Register of fines, compensation, deposits, penalties, and fees. | | | | | | | | | | | | | | | | | | | | | |
|---|-----------------------|---------------|------------------------|---------------|--------------------------------|--|--|--|--------------------------|----------|--------|--------|-------------------------|--------|-------------------------------------|------|-----------------------|----|----------------------------------|--|----------|
| Serial Number. | Number & year of case | Title of case | Particulars of offence | Date of order | Person fined or ordered to pay | Amount & whether— A (i) Fine to be credited to Government account. A (ii) Fine to be credited to local fund account. | B. Deposit. C. Penalties. D. Fees. E. Compensation etc. | Amount awarded as compensation or reward | Date of warrant for levy | Realised | | | Number of Court receipt | | Number and date of treasury receipt | | Amount paid as refund | | Amount, compensation, or reward. | Written off as irrecoverable or remitted in appeal | Remarks. |
| | | | | | | | | | | Date | Amount | Number | Receipt | Number | Date | Date | Amount | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | | | |

REGISTER No. 3:
Rule 106

Register of requisition for records.

| Serial Number | Date of receipt of requisition. | | Number & date of requisition | | Name of court sending for record | | Particulars of case for which required | | Particulars of record requisitioned | | | | | Date by which record is required | | Date of transmission of record | | Number & date of despatch register | | Date of return of record | | Date of restoration of record to bundle, | | Remarks. |
|---------------|---------------------------------|---|------------------------------|---|----------------------------------|---|--|---|-------------------------------------|----|----|----|----|----------------------------------|----|--------------------------------|----|------------------------------------|--|--------------------------|--|--|--|----------|
| | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | | | | | | |
| 1 | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | |

REGISTER No. 4:
(Rule 112)

Register of records requisitioned and returned.

| Serial Number | Particulars of case for which record requisitioned | | | | Number and date of the requisition letter | To whom requisition sent. | Particulars of the record requisitioned | | | | | | Date by which record is required | Date of receipt of the record | From whom received | Date of the return of the record | To whom returned | Number & date of the despatch register | Remarks. |
|---------------|--|--------------|---------------|-----------------|---|---------------------------|---|-------|--------------|-----------------------|------------------|----|----------------------------------|-------------------------------|--------------------|----------------------------------|------------------|--|----------|
| | Number & year | Kind of case | Title of case | Date of hearing | | | Of what Court | Title | Kind of case | Number & year of case | Date of decision | | | | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | |
| | | | | | | | | | | | | | | | | | | | |

Note :- Records of other courts which are received without any requisition should also be entered in this register columns 2, 3, 4, 5 and 6 may be left blank in such cases.

Register of applications for copies of records.

| Serial number | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | Remarks. |
|---------------------|----------|--------|--|-------------------|---|---|--------------|-------------------------|---------------|---|---|--|--|--------------------------------------|--|-----------------|--------------------------|----|----------|
| Date of application | Ordinary | Urgent | Value of Court fee on copying folios filed | Name of applicant | Whether— (a) party, or (b) stranger | Paper or papers of which copy applied for | Kind of case | Number and year of case | Title of case | Particulars of record from which copy applied for | Date and hour when application received by the record keeper or clerk in charge of record | Date and hour when record was received by the Head copyist | Date and hour on which record was returned by Head copyist | Last date fixed for delivery of copy | Date on which notice, if any, regarding preparation of copy posted on notice board | Name of copyist | Date of delivery of copy | | |
| | | | | | | | | | | | | | | | | | | | |

Register of records handed over to the Head Copyst.

| Serial number | Number and date of copying application | Date and hour on which application received by the Records Clerk | Date and hour on which record sent to Head Cypist. | Name of Court | Kind of case | Number and year | Date of decision or hearing | Acknowledgment of Head Cypist | Date and hour on which record received back from Head Cypist | REMARKS |
|---------------|--|--|--|---------------|--------------|-----------------|-----------------------------|-------------------------------|--|---------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |

REGISTER No. 9.
(Rule 145)

Register of applications for copies of record disposed of.

| Serial number of disposal. | Date of disposal. | Date of application. | Serial number of application. | Name of applicant. | Period taken in preparation of copy, | | Copy not prepared. | Amount of copying fees paid. | | Amount of copying fees ordinarily payable in copies issued free. | Signature of recipient. | Despatch number and date in case of copies sent by post. | Remarks. |
|----------------------------|-------------------|----------------------|-------------------------------|--------------------|--------------------------------------|------------------------|--------------------|------------------------------|----------------|--|-------------------------|--|----------|
| | | | | | In Ordinary application. | In Urgent application. | | Ordinary copies. | Urgent copies. | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 |

REGISTER No. 10

(Rule 152)

STOCK BOOK OF PRINTED FORMS.

Number and description of printed forms

| Date. | Particulars. | Number received. | Number issued. | Closing balance. | Signature of recipient. | Remarks. |
|-------|--------------|------------------|----------------|------------------|-------------------------|----------|
| | | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

NOTE:—A separate page shall be allotted to each kind of printed forms.

1.

REGISTER No. 14
(*Rule 157*)

Register of letters Issued.

| Serial Number. | Date. | To whom addressed. | Subject or contents. | Reference. | Acknowledgment of Nazir or despatcher. | Remarks. |
|----------------|-------|--------------------|----------------------|------------|--|----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

REGISTER No. 15.
(*Rules 164 and 166*)
File Index.

| Head and Sub-head | Serial Number (in file index). | Date of closing letter. | Subject | Number of letters in file originally. | Number weeded under the Rules. | Date of weeding | Remarks |
|-------------------|--------------------------------|-------------------------|---------|---------------------------------------|--------------------------------|-----------------|---------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |

REGISTER No. 16.
(*Rule 167*)

Register of General letters and Circulars.

| Serial Number. | Date of Receipt | Issuing authority. | Number and date of the circular. | Subject | File on which placed. | Serial Number and page of the file. | Acknowledgment of the official to whom copy delivered | Remarks. |
|----------------|-----------------|--------------------|----------------------------------|---------|-----------------------|-------------------------------------|---|----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |

REGISTER No. 17.

(Rule 174)

Register of Complaints.

| Serial No. | Date of receipt of complaint | Name and description of complainant | Kind of offence | Section and Act. | ORDER OF COURT. | | | | | | Case brought to trial | Reference to number in the register of criminal cases | Remarks. |
|------------|------------------------------|-------------------------------------|-----------------|------------------|---|---|------|-----------------|----|----|-----------------------|---|----------|
| | | | | | Complaint dismissed under section 203 Cr. P. Code | | Date | Without enquiry | | | | | |
| | | | | | After enquiry | 7 | | 8 | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | | | |

REGISTER No. 18.

(Rule 174)

Register of Regular Criminal Cases.

| Serial No. | Date of bringing the case to trial or of reference or transfer. | Reference to entry (number and date) in the register of complaints or of police reports, as the case may be, to case number in the first court in cases referred or transferred. | Office of which cognizance was taken, with Act, and section. | Name, parentage, caste, residence and age of each person brought to trial. | Date on which each accused. | | | | Date of decision. | Act and section of offence regarding which a decision was given as to each accused, with abstract of order or sentence. | Number of offences (for the purpose of the annual return (Ret. 12) mentioned in column 11, or if there is no entry in column 11, that mentioned in column 4. | Class of record under rule 93. | Note of result in appeal or revision with date. | Remarks. |
|------------|---|--|--|--|-----------------------------|--------------|-------------------|-------------|-------------------|---|--|--------------------------------|---|----------|
| | | | | | Date on which each accused. | was arrested | appeared in court | Voluntarily | | | | | | |
| | | | | | | | | | | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 |

REGISTER NO. 19.

(Rule 174).

Register of Miscellaneous Criminal Cases.

| Serial No. | Date of application. | Name and description of applicant. | Name and description of opposite party. | Particulars of application. | Act and Section of Act, under which preferred | Final order with date | Particulars of any order made on appeal or revision. | Remarks. |
|------------|----------------------|------------------------------------|---|-----------------------------|---|-----------------------|--|----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |

REGISTER NO. 20

(Rule 174)

Register of Regular Criminal Cases Disposed of

NUMBER OF PERSONS

| Serial Number | Serial number of case in register regular criminal cases. | Date | Died, escaped or transferred to another district | Discharged | On withdrawal from prosecution | Otherwise | Appealable sentence passed | Non-appealable sentence passed | Released on probation, section 562 | Discharged after admonition | Delivered to parent or guar- dian. | Discharged after admonition | Released on probation, section 562 | Non-appealable sentence passed | Appealable sentence passed | On regular trial | On Summary trial | Committed for trial | Referred under section 347 or 349 | Number of days case lasted | | | | |
|------------------|---|------|--|------------|--------------------------------|-----------|----------------------------|--------------------------------|------------------------------------|-----------------------------|------------------------------------|-----------------------------|------------------------------------|--------------------------------|----------------------------|------------------|--|---------------------|-----------------------------------|----------------------------|--|--|--|--|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | | | | | |
| Acquitted | | | | | | | | | | | | | | | | | Convicted | | | | On Summary trial | | | |
| On regular trial | | | | | | | | | | | | | | | | | Youthful offenders dealt with u/s 31 of Act No. VIII of 1897 (as adapted to Rajasthan) | | | | Youthful offenders dealt with u/s 31 of Act No. VIII of 1907 (as adapted to Rajasthan) | | | |

REGISTER No. 21

(Rule 174)

Register of Malkhana Articles.

| Serial Number. | Date of receipt of property. | Reference to number and title of case in which received. | Name of police station. | Owner if known. | by whom produced. | How produced. | Number and description of articles. | Estimated value. | Property released or restored. | To whom. | Date. | Signature of receiver. | Attestation. | Property sold. | Date of sale. | Amount of sale proceeds. | Treasury voucher number and date. | Signature of Judge. | Remarks. |
|----------------|------------------------------|--|-------------------------|-----------------|-------------------|---------------|-------------------------------------|------------------|--------------------------------|----------|-------|------------------------|--------------|----------------|---------------|--------------------------|-----------------------------------|---------------------|----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 |

REGISTER No. 22:

(Rule 147)

Register of Police Reports of Offences

| Serial Number. | Date of receipt of report in court under section 157 Cr. P. Code. | Date of first information report to police. | Date of offence. | Name of Police station. | Number and date of Pancha. | Kind of offence. | Section and Act. | Value of property stolen | Date of receipt of final investigation report from police under section 173 Cr. P. C. | Number of days during which the case remained under investigation. | Value of property recovered. | Date. | Case struck off as false. | Case filed as accurate. | used untraceable. | Case brought to trial | Reference to number in the register of criminal cases. | Remarks. |
|----------------|---|---|------------------|-------------------------|----------------------------|------------------|------------------|--------------------------|---|--|------------------------------|-------|---------------------------|-------------------------|-------------------|-----------------------|--|----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | |

REGISTER No. 28

(Rule 174)

Register of Miscellaneous police Reports.

| General Serial Number. | Nature of Report | Serial number of reports under Criminal Procedure Code. | | | | | | | | Date of receipt of report by Magistrate | Date of occurrence reported | Place of occurrence reported | Name of Police station. | Order of Magistrate with date. | Remarks. |
|------------------------|------------------|---|---|---|---|---|---|--------|--|---|-----------------------------|------------------------------|-------------------------|--------------------------------|----------|
| | | 3 | 4 | 5 | 6 | 7 | 8 | Others | | | | | | | |
| | | | | | | | | | | | | | | | |

REGISTER No. 24.

(Rule 174)

Register of Cases transferred under Section 192, Criminal Procedure code.

| Serial Number. | Date of receipt. | Complaint | Police report | Name of complainant. | Name of accused. | Name of Offensee. | Date of transfer | | To what court transferred | Remarks. |
|----------------|------------------|-----------|---------------|----------------------|------------------|-------------------|------------------|---|---------------------------|----------|
| | | | | | | | 6 | 7 | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | |

REGISTER No. 25.

(Rule 175)

Register of Closed Registers.

List of Closed registers in the court of

Name of Register

| Serial No. | Date of opening of register. | Date of closing of register. | Remarks. |
|------------|------------------------------|------------------------------|----------|
| | | | |
| 1 | 2 | 3 | 4 |

REGISTER No. 26.

(Rule 176)

Register of Criminal Appeals.

| Serial No. | 1 | 2 | 3 | 4 | Particulars of Original case. | | | | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 |
|------------|---|--|--|---|-------------------------------|------------------------------|-----------------|------------------------|-------------------|---|---------------------------------|----------------------------|-----------------------------|--|--|----------|----|----|----|----|
| | | Date of presentation of petition or its receipt in the office. | Name and description of the appellant. | Name and description of the respondent. | Name of Magistrate. | Number and year of the case. | Police station. | Name, etc. of accused. | Date of decision. | Abstract of sentence or order appealed against. | Date of requisition for record. | Date of receipt of record. | Date of disposal of appeal. | Result with abstract of order or sentence. | Result with date of order in revision, if any. | Remarks. | | | | |

REGISTER No. 27.

(Rule 176)

Register of Criminal Appeals disposed of.

| Serial Number. | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 |
|--|---------------------------|---|---|---|--------------------------|---|--|--|---|---------|---------|---|-------------------------------|----------|
| Serial number of the register of appeals | Particulars of the appeal | | | Died, escaped or transferred to another district. | Appeal rejected (S. 421) | Appeal dismissed (S. 423) or sentence maintained though finding is altered. [S. 423 (b) (2)] | Sentence reduced or order otherwise altered (S. 423 (b) (2) or (3) or order altered (S. 423 (c)) | Finding and sentence reversed and accused acquitted or discharged (S. 423 (b) (1) or order reversed (S. 423 (c)) | Finding and sentence reversed and retrial or committal ordered (Sec. 423 (b) (1)) | Part A. | Part B. | Date of despatch of complete record of the appeal to record room. | Number of days appeal lasted. | Remarks. |
| | | | | | | | | | | | | | | |

REGISTER No. 30.

(Rule 178)

Register of Sessions Cases.

| Serial Number. | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | |
|-------------------------|---|--|--------------------------------|-----------|--|-----------------|--|--|--|-----------------------|----|---------------------------------|---|--------------------------------------|--|--|--------------------------------|----------|
| | | Date of commitment or receipt on transfer or institution under sec. 480. | Name of Committing Magistrate. | District. | Serial register Number (in the committing Magistrate's court). | Police station. | Name, parentage, residence and caste of each person committed. | Act and section found applicable by committing Magistrate. | Date of receipt of record from Magistrate. | Date fixed for trial. | | Date on which case was decided. | Act and section of offence regarding which a decision was given as to each accused, with abstract of order or sentence. | Number of days the case was pending. | Act and section ultimately found applicable in Sessions Court. | Schedule number of offence entered in col. 14. | Class of record under rule 93. | Remarks. |
| Particulars of enquiry. | | | | | | | | | | | | | | | | | | |

REGISTER No. 31.

(Rule 178)

Register of Cases referred under Section 123, Criminal Pr. Code.

| Serial Number. | Date of Submission. | | Particulars of case submitted. | | | | | | | Date of disposal. | | | Number of days case lasted. | | Particulars of final order. | | | Number of papers on the record in. | | Date of despatch of record to record room. | | Remarks. |
|----------------|---------------------|--|--------------------------------|-------------------------|---------------------------------------|-----------------|--|--|----|-------------------|----|------------------|---|-----------------|-----------------------------|---------|----|------------------------------------|--|--|--|----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | | | | | |
| | | Name of sub-mitting Court or Magistrate. | District. | Serial Register Number. | Date of disposal by submitting court. | Police station. | Name, parentage and caste of person whose case is submitted. | Abstract of order with Act & Section found applicable. | | | | Order confirmed. | Order altered with out alteration of the finding. | Order annulled. | Part A. | Part B. | | | | | | |

REGISTER No. 32.

(Rule 178)

Register of Sessions Cases disposed of

| REGISTERED AS (Rule 178) Register of Sessions Cases disposed of | | | | | | | | | | | | | | | | | | | | |
|---|--------------------------|--|--------------------------------|-----------|---|--|--|--------------------------|-------------------------------|---|----------------------------------|---|----------------------------------|-----------------|---------------------------|------------------------------|---------------------|------------------------|----|----|
| Serial Number | Date of disposal of case | Serial register number of case in register of Sessions | Persons disposed of | | | | Whether the Judge | | | | Number of persons | | | | | | | | | |
| | | | Acquitted | Convicted | Submitted to High Court under section 307 | Died, escaped or transferred to another Sessions division or to the High Court | In jury trial | In trials with assessors | Agreed with all the assessors | Differed from one or more, but not from all the assessors | Differed from all the assessors. | Death | Transp ortation | Penal Servitude | With solitary confinement | Without solitary confinement | Simple imprisonment | Forfeiture of property | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| | | | On withdrawal from prosecution | Otherwise | Convicted | Submitted to High Court under section 307 | Died, escaped or transferred to another Sessions division or to the High Court | Approved verdict | Did not approve verdict | Made reference under section 307 | Agreed with all the assessors | Differed from one or more, but not from all the assessors | Differed from all the assessors. | | | | | | | |
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Details of imprisonment

Imprisonment

Whipping

Remarks

| Fine | 22 | 23 | 24 | 25 | 26 | 27 | Persons ordered to be imprisoned in default of security for good behaviour | | | | | Persons ordered to find or give security or recognizance to keep the peace | | | | Remarks |
|--------------|----------|----|----|----|----|----|--|---------------------------------|---|-----------------------|--|--|---|---------------|--|---------|
| | | | | | | | In lieu of other punishment | In addition to other punishment | As juveniles, for offences for which adult may not be whipped | Not exceeding 15 days | Exceeding 15 days but not exceeding 6 months | Exceeding 6 months but not exceeding 2 years | Exceeding 2 years but not exceeding 7 years | Above 7 years | Number of boys whose sentences were committed to detention in a reformatory school | |
| sentenced to | Whipping | 28 | 29 | 30 | 31 | 32 | | | | | | | | | | 33 |

Fine

REGISTER No. 33
(Rule 179)

Register of Witnesses

| Serial Number | 1 | 2 | 3 | 4 | 5 | Date of discharge | | Discharge on the | | | | Not examined and directed or bound over to attend on | | Detail of allowances paid | | | | | | | | Signatures of | | | | Remarks |
|---------------|---|----------------|----------------------------|----------------------|-----------------|-------------------|---------------------|-------------------------|--------------------------|-------------------------|-----------------------------------|--|-------------------|--|------------------------------------|----------------------------------|--------------------------|-------------------------------|----------------------------|--------------------|--------------------|---------------|--------------------------|--|----|---------|
| | | Number of case | Name of witness discharged | Residence of witness | Date of arrival | After Examination | Without Examination | First day of attendance | Second day of attendance | Third day of attendance | After the third day of attendance | Not examined and directed or bound over to attend on | abjourned hearing | Rate of diet allowance according to rules in force | Number of days allowed for journey | Number of days detained at Court | Amount of diet allowance | Amount of travelling expenses | Total of columns 16 and 17 | Total of pay order | Signature of Nazir | Payee | Officer before whom paid | | | |
| | | | | | | 6 | 7 | 8 | 9 | 10 | 11 | 12 | | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | | 32 | |
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Register of Court fees and process fees.

| Date | No. | Description of paper. | Name of payer. | Court fee | Process fee | Total |
|------|-----|---|----------------|-----------|-------------|-------|
| 1 | 2 | Number of case and names of parties | | | | |
| 3 | 1 | Description of paper. | | | | |
| 4 | 2 | Name of payer. | | | | |
| 5 | 3 | On plaint or memorandum of appeal. | | | | |
| 6 | 4 | On copies and translations. | | | | |
| 7 | 5 | On probates, certificates and letters of administration | | | | |
| 8 | 6 | Other Court fees. | | | | |
| 9 | 7 | Total. | | | | |
| 10 | 8 | Summonses or notices to defendants or respondents | | | | |
| 11 | 9 | Summonses to witnesses | | | | |
| 12 | 10 | Warrant of arrest. | | | | |
| 13 | 11 | Other processes | | | | |
| 14 | 12 | Emergent | | | | |
| 15 | 13 | Commissioner's fee | | | | |
| 16 | 14 | Order of attachment | | | | |
| 17 | 15 | In respect of services of attaching officer | | | | |
| 18 | 16 | In respect of order of sale | | | | |
| 19 | 17 | Sale fee | | | | |
| 20 | 18 | Poundage | | | | |
| 21 | 19 | Other fees | | | | |
| 22 | 20 | Total | | | | |
| 23 | 21 | Inspection fees | | | | |
| 24 | 22 | Search fees | | | | |
| 25 | 23 | Grand total | | | | |
| 26 | 24 | Signature of the person to whom the paper was delivered | | | | |
| 27 | 25 | Number and date of certificate | | | | |
| 28 | 26 | Nature of fees refunded | | | | |
| 29 | 27 | Amount | | | | |
| 30 | 28 | R E M A R K | | | | |

1. All Court-fees and process-fees, impressed on or affixed to the papers filed in Court, shall be entered in their appropriate columns in this register, as soon as a paper is presented to the officer presiding in a Court or to his Munсарim with a view to having the same brought on the record, and a note, "entored" shall be placed under each stamp, with the date and the initials of the official, in charge of this register.
2. The entries in columns 5 to 25 shall be totalled daily, weekly, monthly, quarterly and annually.
3. Commission fees, paid for the services of Amins, shall be entered in column 21, and those paid to other persons in column 15.
4. Both the *ad valorem* and fixed fees on plaints, memoranda of appeals and applications for review of judgment shall be entered in column 5.
5. When sale, attachment, etc. are made by a person other than a Civil Court Amin, process fees paid for the services of such persons shall be entered in column 13 and a note of such service shall be made in the column of remarks.
6. Particulars of stamps on copies on which court fees have been paid before issue, and on translations, certificates, probates and letters of administration shall be entered in the register of the Court which issues the documents. Stamps attached to copies after issue in order that the copies may be filed, shall be entered in the register of the Court in which the copies are filed.
7. The entries relating to applications for copies shall be shown as one entry, the particulars being obtained at the end of each day from register No. 7. The only columns to be used for these entries will be column 1, 8, 9, and 25.

REGISTER No. 35

Memorandum book of dates for cases.

RULE 180-A.

Cases fixed for hearing on.....day, the.....19.....

| Serial Number. | Kind of case (original appeal etc.) | Number and year of case. | Complainant Appellant or Applicant. | Accused Respondent or opposite party. | Name of pleader for complainant or Applicant | Name of pleader for accused or opposite party. | Purpose for which case is set down for hearing. | Date to which adjourned if case not disposed of. | Remarks. |
|----------------|-------------------------------------|--------------------------|-------------------------------------|---------------------------------------|--|--|---|--|----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |

*Note:—*Entries in the register for different kinds of cases shall be shown and grouped separately.

APPENDIX C C. (1) List of periodical returns and reports prescribed by the General Rules (Criminal), 1952.

| Serial No. | Name of the returns | By whom to be sent | To whom to be sent | Period | Last date of submission of return | Reference to rule. |
|------------|---|---|---------------------------|-----------|--|--------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 1 | Statement of fines credited to Municipal Funds. | All criminal courts | Municipal Board concerned | Monthly. | 7th of the following month | 68 |
| 2 | Report of a periodical return being blank | ... | ... | ... | ... | 182 |
| 3 | Sessions statement | Sessions Judges | High Court. | Monthly. | 7th of the following month | 183 |
| 4 | Statement showing criminal work done by the Sessions Judge, Additional and Assistant Sessions Judges. | Additional and Asst. Sessions Judges | Sessions, June | " | 2nd of the following month | 184 |
| 5 | Statement of cases in which there has been delay in the delivery of judgment. | Sessions Judges. | High Court. | " | 10th of the following month | " |
| 6 | Statement of cases in which there has been delay in the delivery of judgment. | Magistrates, Assistant Sessions Judges. | Sessions Judge | " | 7th of the following month | 185 |
| 7 | Statement showing the general result of criminal trials. | Sessions Judges | High Court | Monthly | 7th of the following month | 185 |
| 8 | Statement showing the general result of criminal trials. | Magistrates subordinate to a District Magistrate | District Magistrate | Quarterly | 4th of the month following the quarter. | 186 |
| 9 | Explanations of delay in trials. | Sessions Judge | Sessions Judge | " | On or before the 10th of April, July or October. | " |
| | | Magistrates subordinate to a District Magistrate. | High Court | " | On or before the 15th of April, July or October. | " |
| | | District Magistrate. | District Magistrate | " | 4th of the month following the quarter. | 187 |
| | | District Magistrate. | Sessions Judge | " | On or before the 10th of April, July or October. | " |

APPENDIX C I. (Contd.)

| | | | | | | | |
|-----|---|---|---------------------|---------------------|----------|---|-----|
| 10 | Statement showing the general result of criminal trials. | Magistrates subordinate to a District Magistrate. | District Magistrate | Sessions Judge | Annually | 15th January | 188 |
| 11 | Statement showing the punishment inflicted by criminal tribunals in the exercise of original jurisdiction | Magistrates subordinate to a District Magistrate. | District Magistrate | District Magistrate | " | On or before the 31st January of each year. | 188 |
| 12 | Statement showing offences reported and persons tried, discharged, acquitted, convicted and committed by Magistrates for each offence | Magistrates subordinate to a District Magistrate. | District Magistrate | Sessions Judge | " | On or before the 31st January of each year. | 188 |
| 12A | Annual Statement showing the General Result of criminal cases in the Tribunals of various classes in the District | Magistrates subordinate to a District Magistrate | District Magistrate | Sessions Judge | " | On or before the 31st January of each year. | 188 |
| 13 | [Omitted] | | | | | | |
| 14 | Statement showing proceedings of Magistrates under the Code of Criminal Procedure, 1898. | Magistrates subordinate to a District Magistrate | District Magistrate | Sessions Judge | " | 15th January | " |
| 15 | Statement concerning witnesses in all courts. | Magistrates subordinate to a District Magistrate. | District Magistrate | Sessions Judge | " | On or before the 31st January | " |
| 16 | Statement showing the result of appeals | Magistrates subordinate to a District Magistrate. | District Magistrate | Sessions Judge | " | 15th January | " |
| 17 | Statement showing the result of revisions. | Magistrates subordinate to a District Magistrate. | District Magistrate | Sessions Judge | " | On or before the 31st January | " |

| | | | | | | |
|----|---|---|---------------------|----------|---|-----|
| 18 | Statement showing the number of Sessions Judges and Magistrates employed to dispose of criminal work. | District Magistrate | Sessions Judge | " | On or before the 31st January | " |
| 19 | Statement showing the number & result of Sessions Trials. | District Magistrate | Sessions Judge | " | On or before the 31st January | " |
| 20 | Statement showing proceedings in the Court of Session under the Code of Criminal Procedure, 1898. | Assistant and Additional Sessions Judges. | Sessions Judge | " | 15th January | 189 |
| 21 | Statement showing the use of the Juries and Assessors | Assistant and Assistant Sessions Judges. | High Court | " | On or before the 15th of Feb. next after the close of the year. | " |
| 22 | Statement showing women convicted for the murder of the r infant children under six years of age. | Additional and Assistant Sessions Judges. | Sessions Judge. | " | 15th January | " |
| 23 | Report on the administration of criminal Justice. | Sessions Judges. | High Court. | " | On or before the 15th of Feb. next after the close of the year. | " |
| 24 | Report on the Administration of criminal justice (for the court of Session) | District Magistrates | Sessions Judge. | " | 15th January | 191 |
| 25 | Statement showing the amounts of receipts under the respective Revenue Heads. | Sessions Judges | High Court | " | On or before the 15th February next after the close of the year | 192 |
| | | Magistrates subordinate to a District Magistrate. | District Magistrate | Monthly. | By the 15th of every month, following that to which it relates. | 194 |
| | | Additional and Assistant Sessions Judges. | Sessions Judge | | By the 15th of every month following that to which it relates. | 194 |

APPENDIX C

C (1) Specimen forms of periodical returns and reports prescribed by the General Rules (Criminal), 1252.

RETURN No. 1.

(Rule 68)

Monthly statement of fines pertaining to Municipal Fund.

| Serial Number | Number and year of case | Title of case | Date of decision | Date of realisation of fine | Amount of fine realised | Head to which credited | Number & date of Treasury Voucher | Remarks. |
|---------------|-------------------------|---------------|------------------|-----------------------------|-------------------------|------------------------|-----------------------------------|----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |

Signature

Designation

RETURN No. 2

(Rule 182)

Report of a periodical return being blank.

To

The

(Here enter name of return)

Prescribed date of submission

Actual date of submission

Received by

Submitted to High Court

Received by High Court

The return noted above is blank.

District Magistrate.

Sessions Judge.

RETURN No. 3

(Rule 183)

Sessions Statement.

| Serial Number | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 |
|---------------|---|-----------------------|----------------|----------------------|---------------------|--|--------------------------|-------------------|--|--|---|---|---|---|---------------------------------|--|----------|
| | | Number & year of case | Title of case. | Offence or offences. | Date of commitment. | Date of institution on commitment or transfer. | Name of committing court | Number of accused | Date of decision, if decided during the month. | Abstract of final order & particulars of sentence imposed. | Reference to the number of the page of the file at which copy of judgment may be found. | Date of next hearing, if case remained pending at the close of the month. | Number of prosecution witnesses whose examination is concluded. | Number of prosecution witnesses still remaining to be examined, if any. | Stage at which the case stands. | Reasons for delay, if any, in the progress of the trial. | REMARKS. |

NOTE.—(1) Cases are to be entered in this statement in the order of their dates of institution.

(2) The statement shall bear the following certificate, viz.,
 "Certified that the statement contains a full and correct list of all cases disposed of during the month,
 as well as those pending at the close of the month."

Signature of the Presiding Officer.

RETURN No. 4
(Rule 184)

Name of Judge.....and Designation.....

Monthly statement showing criminal work done by Sessions Judges, Additional and Assistant Sessions

Judges ofMonth of.....

| Kinds of cases. | | | Before the court during the month. | | | | Disposed of during the month. | | | Pending at the end of the month. | | | | | | Remarks. | 14 |
|------------------|-------------------|-------------------------|------------------------------------|---|---|---|-------------------------------|------------------------------|--------|----------------------------------|-------------------------------------|-------------------------------------|----------------|--------|---------------|----------|----|
| Sessions Trials. | Criminal Appeals. | Criminal Miscellaneous. | 2 | 3 | 4 | 5 | Decided. | Transferred to other Courts. | Total. | Below three months. | Over 3 months but below six months. | Over six months but below one year. | Over one year. | Total. | | | |
| | | | | | | | | | | | | | | | Murder cases. | | |
| | | | | | | | | | | | | | | | | | |

RETURN No. 5.
(Rule 185)

Statement of cases in which judgments were delivered with delay.

| Name of Court. | Date of institution. | Number and year of case. | Title of case. | Last date on which evidence, oral or documentary, was closed. | Date or dates of hearing arguments. | Date of delivery of Judgment. | Brief explanation of delay. | Remarks. |
|----------------|----------------------|--------------------------|----------------|---|-------------------------------------|-------------------------------|-----------------------------|----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |

(By every Magistrate or Assistant or Additional Sessions Judge to the Sessions Judge.)

Signature.....

Designation.....

RETURN No. 6.
(Rule 185)

Statement of cases in which judgments were delivered with delay.

| Name of Court. | Date of institution. | Number and year of case. | Title of case. | Last date on which evidence, oral or documentary, was closed. | Date or dates of hearing arguments. | Date of delivery of Judgment. | Brief explanation of delay. | Remarks. |
|----------------|----------------------|--------------------------|----------------|---|-------------------------------------|-------------------------------|-----------------------------|----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |

(By the Sessions Judge to the High Court).

Signature.....

Designation.....

RETURN No. 8.
(Rule 186)

Quarterly statement showing the general result of criminal cases in the Tribunals of various classes in the District of.....during the first, second or third quarter of... ..19.....

| Class of Tribunal and name of Presiding Officer. | Number of cases pending from last quarter. | Number of cases instituted during the quarter. | Totals of columns 2 and 3 | Number of cases disposed of during the quarter. | Average number of days each case (disposed of during the quarter) remained pending. | Number of cases pending at close of quarter. | Number of cases disposed of during the quarter which remained pending for over. | | | Number of cases pending at the close of the quarter for over | | | Remarks. |
|--|--|--|---------------------------|---|---|--|---|-------------|-----------|--|-------------|-----------|----------|
| | | | | | | | Three months. | Six months. | One year. | Three months. | Six months. | One year. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 |

NOTE.—The statement should be prepared in three parts, viz., (1) Original cases, (2) Appeals and (3) (Revisions (By the Sessions Judge to the High Court).

Signature.....

Designation.....

RETURN No. 9.

(Rule 187)

Explanation of delay in Criminal Cases pending over three months for the
 ending 19..... in the District of.....

| Court | Number and year of the case | Title of the case | If the accused is on bail or in Jail | Offence under the Penal Code or other law | Date of com- mencement of trial | Dates on which each adjourn- ment was gra- nted with rea- sons for each adjournment | Total number of adjourn- ments | Orders of Dis- trict Magis- trate | Remarks. |
|-------|-----------------------------------|----------------------|--|---|---------------------------------------|--|---|---|----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| | | | | | | | | | |

NOTE:—1. In column 1, the name of the presiding officer of the Court is to be given.

2. In column 4, if the accused was partly on bail and partly in Jail, the dates for each period should be given.

3. In column 6, the date should be in all cases in which an accused person is arrested, the date of his arrest, in all other cases the date when he appears before the court.

Signature.....
 Designation

RETURN No. 10 (Rule 188)

Annual statement showing the general result of Criminal trials in the tribunals of various classes in the District of.....during the year 19 .

| Persons whose cases were | | | | | | | | | | Convicted | | | |
|---|--|--|--|--|--|--|--|--|--|---|--|--|--|
| On regular trial. | | | | | | | | | | On summary trial | | | |
| Youthful offenders dealt with U/S 31 of Act No. VIII of 1997 as adapted to Rajasthan. | | | | | | | | | | Youthful offenders dealt with U/S 31 of Act No. VIII of 1997 as adapted to Raj. | | | |
| Discharged after admonition. | | | | | | | | | | Discharged after admonition. | | | |
| Delivered to parent or guardian. | | | | | | | | | | Delivered to parent or guardian. | | | |
| Released on probation, Section 562, Criminal Procedure Code, 1898. | | | | | | | | | | Released on probation, Sec. 562, Criminal Proc- dure Code, 1898. | | | |
| Non-appellable sentence passed. | | | | | | | | | | Released on pro- bation, Sec. 562, Criminal Proc- dure Code, 1898. | | | |
| Appellable sentence passed. | | | | | | | | | | Non-appellable sentence passed | | | |
| On withdrawal from prosecution. | | | | | | | | | | On summary trial | | | |
| Otherwise. | | | | | | | | | | Youthful offenders dealt with U/S 31 of Act No. VIII of 1997 as adapted to Raj. | | | |
| Discharged. | | | | | | | | | | Discharged after admoni- tion. | | | |
| (a) Died and escaped. | | | | | | | | | | Discharged after to parent or guar- dian. | | | |
| (b) Transferred to another Court in the same district. | | | | | | | | | | Discharged after to parent or guar- dian. | | | |
| (c) Transferred to a Court in another district. | | | | | | | | | | Discharged after to parent or guar- dian. | | | |
| Total of columns 2 to 9. | | | | | | | | | | Total of cols. 12 to 25 | | | |
| Died, escaped or transferred to another district. | | | | | | | | | | Referred. | | | |
| Committed. | | | | | | | | | | Committed. | | | |
| Person remaining under trial at close of year. | | | | | | | | | | Number of cases dis- posed of during year. | | | |
| Aggregate number of days during which case entered in column 29 lasted. | | | | | | | | | | (a) Decide. | | | |
| Average number of days during which each case lasted. | | | | | | | | | | (b) Transferred to an- other Court in the same district. | | | |
| No. of cases pending above six weeks, when disposed of or their disposed of at the close of year. | | | | | | | | | | (c) Transferred to a Court in another district. | | | |
| Designation..... | | | | | | | | | | Aggregate number of days during which case entered in column 29 lasted. | | | |
| R E M A R K S. | | | | | | | | | | Average number of days during which each case lasted. | | | |
| | | | | | | | | | | No. of cases pending above six weeks, when disposed of or their disposed of at the close of year. | | | |

Class of tribunal and name of presiding officer.

Signature.....

RETURN N. 11
(Rule 188)

Annual statement showing the punishment inflicted by the various criminal tribunals in the exercise of original Jurisdiction in the District of.....during the years 19....

| Class of tribunal and name of presiding officer | Persons sentenced to | | | | | | | | | | | | | | Details | |
|---|---------------------------|------------------------------|-----------------|----------------|-------|---------------------|------------------------|------|----------|---|-----------------------------|----------------------------|-----------------------------|------------------------|---|--|
| | Imprisonment (Rigorous) | | Penal servitude | Transportation | Death | Simple imprisonment | Forfeiture of property | Fine | Whipping | Security or recognition to keep the peace | Security for good behaviour | Security to keep the peace | Security for good behaviour | Not exceeding Rs. 10/- | Exceeding Rs. 10/- but not exceeding Rs. 50/- | Exceeding Rs. 50/- but not exceeding Rs. 100/- |
| | With solitary confinement | Without solitary confinement | | | | | | | | | | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 |

| Imprisonment | | | | | | | | | | Remarks | | | | | | |
|---|--|-----------------|---------------------------------------|--|--|-----------------------|--|---|---|---|-----------|--|---|---------|----|----|
| of punishment | | | | | | | | | | Persons ordered to pay compensation under section 250 | | | | | | |
| Exceeding Rs. 100/- but not exceeding Rs. 500/- | Exceeding Rs. 500/- but not exceeding Rs. 1000/- | Above Rs. 1000. | Total amount of fines during the year | Total amount of fines realised during the year | Amount paid by way of compensation under section 545 | Not exceeding 15 days | Exceeding 15 days but not exceeding 6 months | Exceeding 6 months but not exceeding 2 years. | Exceeding 2 years but not exceeding 7 years | Above seven years | [Omitted] | Number of boys whose sentences were commuted to detention in a reform-atory school | Persons ordered to pay compensation under section 250 | Remarks | | |
| 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 |

Date.....

Signature.....
Designation.....

RETURN No. 12. (Rule 188)

Annual statement showing offences reported and persons tried, discharged, acquitted, convicted and committed by Magistrates for each offence in the district of.....during the year 19.....

| for each offence in the district or | Schedule Number of offence | Number of cases | | | | | | | | | | Number of persons | | | | | | | | | | Remarks |
|--|---|----------------------|---|---|---|---|---|---|---|----|----|-------------------|----|----|----|----|----|----|----|--|--|---------|
| | | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | | | |
| Nomenclature of offences with chapter and section of the Indian Penal Code, or other Law, Applicable | 1 | SCHEDULE OF OFFENCES | | | | | | | | | | | | | | | | | | | | |
| | 1.-Punishable Under The Indian Penal Code | VI | 1 | | | | | | | | | | | | | | | | | | | |
| | Offences against the State | Chapter | | | | | | | | | | | | | | | | | | | | |
| | Offences against the Army or Navy | " | | | | | | | | | | | | | | | | | | | | |
| | Offences against the public tranquility | " | | | | | | | | | | | | | | | | | | | | |
| | Offences by or relating to public servants. | " | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | |

Nomenclature of offences with chapter and section of the Indian Penal Code, or other Law, Applicable

| Nomenclature of offences with chapter and section of the Indian Penal Code, or other Law, Applicable | Schedule Number of offence | Number of cases | | | | | | | | | | | Number of persons | | | | | | | Remarks | | | | | |
|--|----------------------------|---------------------------------------|-------------------|--|-------------------------------|--|--------------------------|-----------------|---|----------------------------------|--|---|--|-----------------------------|------------|--------------------------------|-----------|---------------------|-----------|---------|--|-----------------------|---|---|--|
| | | In and pending from the previous year | Offences reported | Complaints dismissed under section 203 | Otherwise struck off as false | Of offences reported in and pending from the previous year | Balance returned as true | During the year | Offences pending investigation (by police) or preliminary inquiry (u/s 202) at the close of the year. | Brought to trial during the year | (a) Brought to trial (otherwise than by transfer) during the year. | (b) Received by transfer from another court in the same district. | (c) Received by transfer from a Court in another district. | Under trial during the year | Discharged | On withdrawal from prosecution | Acquitted | Otherwise convicted | Committed | | Died, escaped or transferred to another district | (a) Died and escaped, | (b) Transferred to another Court in the same district and | (c) Transferred to a Court in another district. | Remaining under trial at close of year |
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | | | | | | |
| I Punishable under Indian Penal Code (contd). | | | | | | | | | | | | | | | | | | | | | | | | | |
| Contents of the lawful authority of public servants | Chap. X | 5 | | | | | | | | | | | | | | | | | | | | | | | |
| False evidence and offences against public justice | " XI | 6 | | | | | | | | | | | | | | | | | | | | | | | |
| Offences relating to (a) coin and (b) Govt. stamps separately | " XII | 7 | | | | | | | | | | | | | | | | | | | | | | | |
| Offences relating to weights and measures | " | 8 | | | | | | | | | | | | | | | | | | | | | | | |
| Offences affecting the public health safety, convenience, decency and morals | " XIV | 9 | | | | | | | | | | | | | | | | | | | | | | | |
| Offences relating to religion | " XV | 10 | | | | | | | | | | | | | | | | | | | | | | | |
| Offences affecting life | " | 11 | | | | | | | | | | | | | | | | | | | | | | | |
| Causing of miscarriage, injuries to unborn children, exposure of infants | { Secs.302 to 311 | 11 | | | | | | | | | | | | | | | | | | | | | | | |

Nomenclature of offences with chapter and section of the Indian Penal Code, or other Law, Applicable

| | | | |
|--|-----|------------|-----|
| Hurt ... | ... | Chap. | 13 |
| Wrongful restraint and wrongful confinement ... | ... | XVI | 14 |
| Criminal force and assault ... | ... | ... | 15 |
| Kidnapping, forcible abduction, slavery and forced labour... | ... | ... | 16 |
| Rape ... | ... | ... | 17 |
| Unnatural offence ... | ... | ... | 18 |
| Theft ... | ... | ... | 19 |
| Extortion ... | ... | ... | 20 |
| Robbery and dacoity ... | ... | ... | 21 |
| Criminal misappropriation of property ... | ... | Chap. XVII | 22 |
| Criminal breach of trust... | ... | ... | 23 |
| Receiving of stolen property ... | ... | ... | 24 |
| Cheating ... | ... | ... | 25 |
| Fraudulent deed and disposition of property ... | ... | ... | 26 |
| Mischief ... | ... | ... | 27 |
| Criminal trespass ... | ... | ... | 28 |
| Offences relating to documents and to trade or property marks ... | ... | ... | 29 |
| Criminal breach of contracts of service... | ... | ... | 30 |
| Offences relating to marriage ... | ... | ... | 31 |
| Defamation ... | ... | ... | 32 |
| Criminal intimidation, insult and annoyance ... | ... | ... | 33 |
| II.—PUNISHABLE UNDER THE CODE OF CRIMINAL PROCEDURE. | ... | ... | ... |
| Proceedings under Chapter VIII, security for keeping the peace ... | ... | ... | 34 |
| Proceedings under Chapter VIII, security for good behaviour ... | ... | ... | 35 |
| III.—PUNISHABLE UNDER SPECIAL & LOCAL LAWS. | ... | ... | 36 |
| Total ... | ... | ... | ... |

Annual Return No. 12A.

Annual statement showing the General Result of criminal cases in the Tribunals of various classes in the District of.....during the year 195.

(Rule 188).

| Class of Tribunal and name of Presiding Officer | Number of cases pending from last year | Number of cases instituted during the year | | | Total of columns 2 and 3 |
|--|--|--|---|--|---|
| | | (a) Instituted (otherwise than by transfer) during the year. | (b) Received by transfer from another Court in the same district. | (c) Received by transfer from a Court in another district. | |
| 1 | 2 | 3 | | | 4 |
| Number of cases disposed of during the year. | | Average number of days each case (disposed of during the year) remained pending. | | | Number of cases pending at the close of year. |
| (a) Decided, | (b) Transferred to another Court in the same district. | (c) Transferred to a Court in another district. | | | |
| 5 | | 6 | | | 7 |
| Number of cases disposed of during the year, which remained pending. | | | | | |
| Upto 3 months. | Over 3 months but below six months. | Over 6 months but below one year. | For over one year. | | |
| 8 | 9 | 10 | 11 | | |
| Number of cases pending. | | | | | |
| At the close of the year. | Upto three months | Over three months but below six months | Over six months but below one year | One year old and over. | Remarks. |
| 12 | 13 | 14 | 15 | 16 | 17 |

RETURN No. 13

(Rule 188).

*Statement showing the Particulars of whippings inflicted
by the Criminal Courts of the District of
.....during 19 .*

PART I.

Showing whippings inflicted under sections 3 and 4, Act No IV of 1909, as adapted to Rajasthan, in lieu of other punishments.

| Offences for which awarded | Number of persons awarded | | | Total. |
|-------------------------------|---------------------------|---------------------|---------------------|--------|
| | 5 to 10 stripes | 11 to 20 stripes | 21 to 30 Stripes | |
| 1 | 2 | 3 | 4 | 5 |
| | | | | |

PART II

Showing whippings inflicted in addition to other punishments, under section 4, Act No. IV of 1909, as adapted to Rajasthan.

| Offences for which awarded | Number of persons awarded | | | Total. |
|-------------------------------|---------------------------|---------------------|---------------------|--------|
| | 5 to 10 stripes | 11 to 20 stripes | 21 to 30 stripes | |
| 1 | 2 | 3 | 4 | 5 |
| | | | | |

RETURN No. 13 (Contd.)

PART III.

Showing whippings inflicted under section 5, Act No. IV of 1909, as adapted to Rajasthan, on juveniles for offences other than those specified in Parts I and II.

| Offences | Number of persons awarded. | | Total. |
|---------------------|----------------------------|------------------|--------|
| | 5 to 10 stripes | 11 to 15 stripes | |
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| On first conviction | | | |
| On re-conviction | | | |
| Total..... | | | |

PART IV.

Showing relative number of times whipping was awarded as compared with other punishments.

| Punishments | Number |
|-------------|--------|
| 1 | 2 |

1. Total number of whippings awarded.
2. Total number of other punishments in cases in which whipping might have been awarded.
3. Total number of all punishments in cases in which whipping might have been awarded (total of headings 1 and 2).
4. Percentage of whippings on total number of all punishments (percentage of heading 1 or heading 3).

RETURN No. 14.
(Rule 188)

Annual statement showing proceedings of Magistrates under the Code of Criminal Procedure, in the
District of _____ during the year, 19 .

| Nature of proceedings | Total number of cases before the courts during the year | Number of persons concerned | Disposed of during the year | | | Remaining | | Remarks |
|---|---|-----------------------------|-----------------------------|------------|---|-----------|---------|---------|
| | | | Cases | Persons | Persons | Cases | Persons | |
| | | | | Discharged | Convicted or otherwise subjected to order | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| 1. Proceedings against witnesses under Chapter VIC and Section 485. | | | | | | | | |
| 2. Proceedings under Chapter VIII; to prevent breach of the peace. | | | | | | | | |
| 3. Proceedings under Chapter VIII; security for good behaviour. | | | | | | | | |
| 4. Proceedings against local nuisances; Chapter X. | | | | | | | | |
| 5. Possession; Chapter XII. | | | | | | | | |
| 6. Frivolous or vexatious accusations summarily dealt with U/S 250. | | | | | | | | |
| 7. Non-attendance of jurors or assessors; Section 332. | | | | | | | | |
| 8. Maintenance; Chapter XXXVI. | | | | | | | | |
| 9. Forfeiture of bail or recognizance; Chapter XLII. | | | | | | | | |
| 10. Proceedings under section 563 against convicted offenders released under section 562. | | | | | | | | |

RETURN No. 15.

(Rule 188)

Annual statement showing the number of witnesses (including complainants) examined and discharged without examination, the period of their detention, and the sum paid to them as diet and travelling expenses in the District of.....during the year 19.....

| Class of tribunal and name of presiding officer. | Number of witnesses discharged after examination. | Number of witnesses discharged without examination. | Total of columns 2 & 3 | Percentage of column 2 to column 4. | Number of witnesses discharged after or without examination. | | | | | | Expenses paid under Government orders. | | | Remarks. |
|--|---|---|------------------------|-------------------------------------|--|----------------|---------------|------------------|-------------------------------------|--|---|--------------|--------------------------------------|----------|
| | | | | | On first day. | On second day. | On third day. | After third day. | Percentage of column 6 to column 4. | No. of witnesses not examined on attendance and directed to attend on adjourned hearing. | Number of witnesses to whom payments were made. | Amount paid. | Percentage of column 12 to column 4. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 |

Date.....

Signature.....

Designation.....

Annual Statement showing the results of appeals in Criminal Cases in the District of During the Year 19.

[illegible]

RETURN No. 18.

(Rule 188)

Annual statement showing the number of Sessions Judges and Magistrates employed to dispose of Criminal work in the Judgeship offor the year.....

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
|---|---|--|--|---|---|---|---|---|--|--|----------|
| Number of Sessions & Additional Sessions-Judges who did both Civil & Criminal work during the year. | Number of Sessions & Additional Sessions Judges who did only Criminal work during the year. | Number of Assistant Sessions & Civil & Sessions Judges who did both Civil & Criminal work during the year. | Number of Assistant Sessions & Civil and Sessions Judges who did only Criminal work during the year. | Number of District Magistrates & Additional District Magistrates. | Number of Magistrates invested with powers under section 30 of the Code of Criminal Procedure who did both Civil (excluding revenue) & Criminal work during the year. | Number of Magistrates invested with powers under section 30 of the Code of Criminal Procedure who did only Criminal work during the year. | Number of other stipendiary Magistrates permanently employed & any addition temporarily made in the cadre who did both Civil (excluding revenue) & Criminal work during the year. | Number of other stipendiary Magistrates permanently employed & any addition temporarily made in the cadre who did only Criminal work during the year. | Number of Honorary Magistrates sitting singly. | Number of Benches of Magistrates (not members of Benches). | REMARKS. |

Signature.....
Designation.....

RETURN No. 20.

(Rule 189)

Annual statement showing proceedings of the Court of Session under the Code of Criminal Procedure, for the.....District during the year 19.

| Nature of proceeding | Total Number of cases before the Court during the year | Number of Persons concerned | Disposed of during the year | | | | Remaining | | Remarks. |
|--|--|-----------------------------|-----------------------------|-----------------|---------|---|-----------|---------|----------|
| | | | Cases | Dischar- ged | Persons | Convicted or otherwise subjected to an order | Cases | Persons | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | |
| 1. Proceedings against wit- nes ses under Chapter VI-C, & Section 485. | | | | | | | | | |
| 2. Proceedings under section 106 of Chapter VIII (secu- rity for keeping the peace). | | | | | | | | | |
| 3. Non attendance of jurors or assessors, Section 332. | | | | | | | | | |
| 4. Forfeiture of bail or recogni- zance under Chapter XLII. | | | | | | | | | |
| Total | | 63 | | | | | | | |

Dated.....

Signature.....

Designation

RETURN No. 21.

(Rule 189)

Annual statement showing the use of juries and assessors in the Court of Sessions of the
division, during the year 19

| Number of cases tried by jury. | Number of cases tried with assessors. | Number of accused persons in jury trials. | | | | Number of accused persons in trials with assessors. | | | | Remarks. |
|--------------------------------|---------------------------------------|---|----------------------|--------------------------|-----------------------------------|---|--------------------------------|---|----------------------------------|----------|
| | | Tried. | As to whom the Judge | | | Tried. | As to whom the Judge | | | |
| | | | Approved verdict. | Did not approve verdict. | Made reference under section 307. | | Agreed with all the assessors. | Differed from one or more but not from all the assessors. | Differed from all the assessors. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| | | | | | | | | | | |

Dated.....

Signature.....

Designation.....

RETURN No. 22

(Rule 189)

Statement showing the number of cases in which women were tried and convicted for murder of their infant children under six years of age during 19 by

| Serial No. | Sessions division | Name of woman | Date of offence | Section under which convicted | Sentence and date thereof | Sentence as modified by Local Government | Brief account of the case |
|------------|-------------------|---------------|-----------------|-------------------------------|---------------------------|--|---------------------------|
| | | | | | | | |

I.—Legitimate infant children.

(a) In which the Sessions Judge recommended reduction of sentence.

(b) In which the Sessions Judge made no recommendation.

II.—Illegitimate infant children.

Dated.....

Examined by

The.....19.

Munsarim.

Judge.

RETURN No. 23

(Rule 191)

ANNUAL CRIMINAL REPORT FROM DISTRICT MAGISTRATES.

.....DISTRICT.

The following are the points on which notes should be recorded:

1. OFFICERS IN CHARGE OF DISTRICT DURING THE YEAR.
2. RETURNS OF CRIME—(Explain important variations in number and class of offences reported and brought to trial. Notice action taken under section 203, Criminal Procedure Code.)
3. RESULTS OF TRIALS—
4. DURATION OF TRIALS—(Excessive duration in individual Courts and the number of cases pending over three months, if large, should be noticed).
5. PUNISHMENTS:—(a) Fines—(notice realisations); (b) whipping; (c) solitary confinement; (d) other sentences.
6. PROCEEDINGS UNDER CRIMINAL PROCEDURE CODE:—(a) under section 107; (b) under section 110; (c) under section 250; (Number of persons fined and amount of fine should be stated.)
7. WITNESSES:—(a) Detention of—(b) examination of—(c) Payment of diet allowance to—
8. APPEALS:—(Explain any considerable rise or fall in number of appeals filed. Comment on results).
9. REVISIONS—(As in paragraph 8).
10. GENERAL:—(Points not dealt with in preceding paragraphs may be here noticed).

RETURN No. 24.

ANNUAL CRIMINAL REPORT FROM SESSIONS COURT.....
DISTRICT.

The following are the points on which notes should be recorded:—

1. OFFICERS IN CHARGE OF JUDGESHIP.
2. TRIALS—(Notice important variations in number, class and results of cases. Explain unusual detention of witnesses).
3. APPEALS—(Explain any considerable rise or fall in the number of appeals filed. Comment on results).
4. REVISIONS—(As in paragraph 3).
5. GENERAL—(Notice state of record-room, weeding, revision of lists of jurors and assessors, etc.).

RETURN No. 25
(Rule 194).

Statement of actual receipts for of the court/courts of.....

INCOME

Major head.

Minor head.

Head of Income.

| Name of the court | Sale proceeds of unclaimed property. | Court fees realised in cash. | General fees fines and forfeitures. | Miscellaneous. | Miscellaneous. | Recoveries of over payments, | Collection of payments for services rendered. |
|-------------------|--------------------------------------|------------------------------|-------------------------------------|----------------|----------------|------------------------------|---|
| | | | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 8 | 7 |
| | | | | | | | |

APPENDIX 'D',

(Rule 149)

List of printed forms authorised for use in Subordinate Criminal Courts.

| No. of forms. | Description. |
|---------------|--|
| 1 | Summons to an accused (Secs. 68 and 204 of the Cr. P. C. F. I, Schedule V). |
| 2 | Warrant of arrest (Sections 75 and 204 of the Cr. P. C. F. II, Schedule V). |
| 3 | Bond and Bail Bond after arrest under a warrant (Sec. 86 of the Cr. P. C. F. III, Schedule V). |
| 4 | Proclamation requiring the appearance of a person accused (Section 87 of the Cr. P. C. F. IV, Schedule V). |
| 5 | Order of attachment to compel the appearance of a person accused, (Section 88 of the Cr. P. C. F. VI, Schedule V). |
| 6 | Warrant to secure attendance of a witness refusing or neglecting to obey summons served upon him (Section 90 of the Cr. P. C.) |
| 7 | Bail and Bail Bond for the appearance of an accused (Section 91 Cr. P. C.) |
| 8 | Summons to produce a document (Section 94 of the Cr. P. C.) |
| 9 | Warrant to search suspected place of deposit (Section 98 of the Cr. P. C. F. IX Schedule V). |
| 10 | Bond to keep peace (Section 107 of the Cr. P. C. F. X, Schedule V). |
| 11 | Bond for good behaviour (Sections 108, 109 and 110 of Cr. P. C. F. XI Schedule V). |
| 12 | Summons on information of a probable breach of the peace (Section 114 of the Cr. P. C. F. XII, Schedule V). |
| 13 | Record of a confession made by an accused person (Section 164 Cr. P. C.) |
| 14 | Bond to prosecute or give evidence (Section 167 Cr. P. C.) |
| 15 | Order for further detention (Section 167 Cr. P. C.) |
| 16 | Notice of commitment to public Prosecutor (Section 218 Cr. P. C. F. XXVII Schedule V). |
| 17 | Charge sheet (one head) (Sections 210, 221, 222 and 254 of the Cr. P. C. F. XXVIII, Schedule V). |
| 18 | Charge sheet (two heads) (Sections 210, 221, 222 and 254, Cr. P. C. F. XXVIII, Schedule V). |
| 19 | Summons to a witness (Sections 68, 208, 244 and 252 of the Cr. P. C. F. XXXI, Schedule V). |
| 20 | Summons for a witness to appear on behalf of accused before a Court of Session; (Section 216 of the Cr. P. C.) |

Contd.

- 21 Warrant of commitment for intermediate custody (Section 220, Criminal Procedure Code).
- 22 Record of summary trial; (section 263, Cr. P. C.)
- 23 Form of recording opinion of assessor; (section 309, Cr. P. C.)
- 24 Precept to District Magistrate to summon jurors and assessor; (Section 326, Cr. P. C. F. XXXII, Schedule V).
- 25 Summons to assessors or jurors; section 328 (Cr. P. C. F. XXXIII Schedule V).
- 26 Order of remand to jail (Section 344, Cr. P. C.)
- 27 Statement of accused (Section 364, Cr. P. C.).
- 28 Statement of accused Continuation sheets.
- 29 Warrant of commitment under sentence of death (Section 374, Cr. P. C. Form XXXV Schedule V).
- 30 Warrant of execution of sentence of death (section 381, Cr. P. C. F. XXXV Schedule V)
- 31 Warrant of commitment to jail on a sentence of imprisonment or fine (Section 383, Cr. P. C.)
 - (a) Details of the previous conviction, if any, of the prisoner.
 - (b) List of personal property forwarded with the prisoner.
- 32 Order of Appellate Court confirming sentence (section 423, Cr. P. C.)
- 33 Order of release by Appellate Court (Section 423, Cr. P. C.)
- 34 Order of Appellate Court altering sentence (Section 423, Cr. P. C.)
- 35 Bond and bail-bond on a preliminary enquiry before a Magistrate; (sections 496, and 499, F XLII, Schedule V).
- 36 Bail-bond and security-bond after conviction; (Sections 498 and 499, Cr. P. C.)
- 37 Commission to examine a witness; (section 508 or 506) Cr. P. C.
- 38 Notice to surety on breach of bond (section 524 Cr. P. C. F. XLV Schedule V),

PART II.

Forms (Miscellaneous) under the General Rules (Criminal) (Vide Appendix A),

- 1 Order Sheet.
- 2 General Index.
- 3 Index of exhibits.
- 4 Cover or title page in original cases.
- 5 Letter reporting committal of cases to Sessions.
- 6 Calendar a case committed to the Sessions.
- 7 Statement of the result of the Sessions trial showing the prisoners punished and acquitted by the Sessions Judge.
- 8 Daily cause list.
- 9 Memorandum of identification of Suspects.
- 10 Identification of property.
- 11 Letter submitting records for confirmation of sentence of death.

Contd.

- 12 Form of classification of convicts.
- 13 Challan for deposit of fine, compensation etc.
- 14 Court receipt book.
- 15 Fly leaf.
- 16 Cover in appeal or revision cases.
- 17 Requisition for record.
- 18 Notice to appellant and to the officer appointed by the Government under section 422 Criminal Procedure Code.
- 19 Covering docket under which a notice to appellant in jail is to be sent.
- 20 Certificate on the General Index before transmission of record.
- 21 Form for transmission of record.
- 22 List of regular/miscellaneous/complaints dismissed cases sent to the record room.
- 23 List of police reports and miscellaneous proceedings not filed with the record of a regular case.
- 24 Invoice of records consigned the record-room.
- 25 Application for inspection of a record.
- 26 Application for copy of record.
- 27 Order for payment of diet money.

PART III

Forms of Registers under the General Rules (Criminal)
(Vide Appendix B).

- 1 Letter delivery book.
- 2 Register of fines, compensation, deposits, penalties and fees.
- 3 Register of requisition for records.
- 4 Register of records requisitioned and returned.
- 5 Register of records taken by the presiding officer for examination
- 6 Register of applications for inspection of record.
- 7 Register of applications for copies of record.
- 8 Register of records handed over to the head copyist.
- 9 Register of applications for copies of record disposed of.
- 10 Stock book of printed forms.
- 11 Register of printed forms.
- 12 General register of correspondence files.
- 13 Register of letters received.
- 14 Register of letters issued.
- 15 File Index.
- 16 Registers of general letters and circulars.
- 17 Register of complaints.
- 18 Register of regular Criminal cases.
- 19 Register of miscellaneous Criminal cases.
- 20 Register of regular criminal cases disposed of.
- 21 Register of Malkhana articles.
- 22 Register of police reports of offences.
- 23 Register of miscellaneous police reports.

Contd.

- 24 Register of cases transferred under section 192, Criminal Procedure Code.
- 25 Register of closed registers.
- 26 Register of criminal appeals.
- 27 Register of criminal appeals disposed of.
- 28 Register of criminal revisions.
- 29 Register of criminal revisions disposed of.
- 30 Register of sessions cases.
- 31 Register of cases referred under section 123, Criminal Procedure Code.
- 32 Register of sessions cases disposed of.
- 33 Register of witnesses.
- 34 Register of court-fees and process-fees.
- 35 Memorandum book of dates for cases.

PART IV.

Forms of periodical returns and reports under the
General Rules (Criminal) (Vide appendix C)

- 1 Statement of fines credited to Municipal Fund.
- 2 Report of a periodical return being blank.
- 3 Sessions statement.
- 4 Statement showing criminal work done by the Sessions Judge, Additional and Assistant Sessions Judges.
- 5 Statement of cases in which there has been delay in the delivery of judgment (to be submitted by Magistrates).
- 6 Statement of cases in which there has been delay in the delivery of judgment (to be submitted by Sessions Judges).
- 7 Statement showing the general result of criminal trials (to be submitted by Magistrates).
- 8 Statement showing the general result of criminal trials (to be submitted by Sessions Judges).
- 9 Explanations of delay in trials.
- 10 Statement showing the general result of criminal trials.
- 11 Statement showing the punishment inflicted by criminal tribunals in the exercise of original jurisdiction.
- 12 Statement showing offences reported and persons tried, discharged, acquitted, convicted and committed by Magistrates for each offence.
- 12A Annual statement showing the General Result of criminal cases in the Tribunals of various classes in the District.
- 13 Statement showing the particulars of whippings inflicted.
- 14 Statement showing proceedings of Magistrates under the Code of Criminal Procedure, 1898.
- 15 Statement concerning witnesses in all courts.
- 16 Statement showing the result of appeals.
- 17 Statement showing the result of revisions.
- 18 Statement showing the number of Sessions Judges and Magistrates employed to dispose of criminal work.

Contd.

- 19 Statement showing the number and result of Sessions trials.
- 20 Statement showing proceedings in the Court of Sessions under the Code of Criminal Procedure, 1898.
- 21 Statement showing the use of the Juries and Assessors.
- 22 Statement showing women convicted for the murder of their infant children under six years of age.
- 23 Report on the Administrations of Criminal Justice (from District Magistrate).
- 24 Report on the Administration of Criminal Justice (from the court of Session).
- 25 Statement showing the amounts of receipts under the respective Revenue Heads.

PART V.

Miscellaneous Forms

- 1 Order for production of prisoner in court.
 - 2 List of documents admitted in evidence for the prosecution defence.
 - 3 List of articles admitted in evidence.
 - 4 Certificate of attendance.
 - 5 Letter for forwarding a process for service.
 - 6 Letter for forwarding a copy of judgment or order by an appellate court.
 - 7 Statement of witness.
-

APPENDIX E.

(1) Instructions for keeping of Registers prescribed under the General Rules (Criminal) 1952.

The instructions given under each register mentioned below shall be observed in regard to the keeping of that register:—

Register No. 17

(Register of Complaints)

(1) Every case falling within the schedule of offences given in rule 173 of which a Court takes cognizance, upon receiving a complaint of facts which constitute the offence, under section 190 of the Code of Criminal Procedure, 1898, except one that is at once transferred under section 192, shall be entered in this register, and no other case shall be entered therein.

(2) Columns 1 to 5 shall be filled up when cognizance is taken of the case.

(3) If a case is dismissed under section 203, a nil entry shall be made in columns 9 and 10.

(4) Column 10 shall contain the number and date of the entry of the case in Register No. 18.

(5) To the register shall be prefixed an index in two columns: the first column shall contain the entries given in the schedule of offences (Rule 173) and such other local and special laws, cases relating to which are entered in the register; and in the second column shall be entered the serial numbers of the cases falling within each entry. The index shall be written up as each page of the register is completed.

Register No. 18

(Register of Regular Criminal Cases).

(1) Every case falling within the schedule of offences in Rule 173 which is brought to trial, (that is, in which the accused appears before the Court or process is issued for his appearance) including any case which is received from another Court or district by transfer, shall be entered in this register, and no other case shall be entered therein.

(2) Columns 1 to 5 shall be filled up immediately the case is entered in the register.

(3) In a case received by transfer the entries in columns 4 to 9 shall be the same as those in the register of the Court from which the case is transferred, so far as they apply, and shall be made as soon as the case is received. At the same time a note shall be made in column 3 of the name of the Court and District from which the case was transferred.

(4) A case in which a Court proceeds under section 480 shall be separately entered in this register.

(5) In column 4 and against each accused in column 11 only one section shall be entered, *viz.* that of the principal offence, if more than one offence is charged or found applicable. But, if an accused is separately tried for two or more offences, two or more separate cases shall be registered.

(6) In column 6 an entry shall be made regarding every accused person arrested without a warrant by whomsoever he may be arrested. A person arrested, but released on bail or recognizance to attend the Court, shall be entered in column 6 or column 7, as the case may require.

(7) When a case is transferred to another Court in the same district, nil entries shall be made in columns 11 to 14, and a note shall be made in the column of remarks of the transfer and the name of the Court to which the case is transferred.

(8) In column 12, the number of the offence as given in the schedule of offences in Rule 173 shall be entered.

(9) To the register shall be prefixed an index in two columns: the first column shall contain the entries given in the schedule of offences (Rule 173) and such other local and special laws, cases relating to which are entered in the register; and in the second column shall be entered the serial numbers of the cases falling within each entry. The index shall be written up as each page of the register is completed.

Register No. 19

(Register of Miscellaneous Criminal Cases)

(1) Every case under Chapter VI-C or section 485, every case under section 106, every case under Chapter X (Save an order under section 142, which shall not be separately registered, and an order under section 143), every case under Chapter XII, every case under section 332, every case under Chapter XXXVI, every case under Chapter XLII, and every case under section 250 of the Code of Criminal Procedure, 1898, shall be entered in this register, and no other case shall be entered therein.

(2) When a case is transferred to another Court or the person concerned dies, any column which may be blank at the time shall remain blank, save the column of remarks, in which a note shall be made of the transfer or death and of the Court, if any, to which the case is transferred.

Register No. 20.

(Register of Regular Criminal Cases disposed of)

(1) When an entry is made in column 4, a note shall at the same time be made in the column of remarks, whether the person died or escaped or was transferred to another Court; if he was transferred, the name of the Court to which transferred should also be noted.

(2) In column 5, an entry shall be made regarding every person discharged under sections 119, 209, 249, 253, 259 or 494 (a).

(3) In column 6 shall be entered every person acquitted under sections 247, 248, 345 or 494 (b).

(4) In column 7 shall be entered every person acquitted under section 245 or 258.

(5) In columns 8, 9, 13 or 14, as the case may be, shall be entered every person subjected to an order under section 118 (for whatsoever period), and every person convicted under sections 243, 245 or 258.

(6) A person convicted shall be entered in columns 8, 9, 10, 11, 12, 13, 14, 15, 16 or 17, as the case may be, and a person committed shall be entered in column 18 even though the case falls under section 341 and report has to be made to the High Court, or even though action is taken under section 8 of the Reformatory Schools Act, 1897, as adapted to Rajasthan. In such a case, a note shall be made in the column of remarks, showing what action was taken after conviction.

(7) A person whose case is submitted to a Sessions Judge under section 123, shall not be entered in column 18 or 19, but in column 8 or 9, as the case may be.

(8) When an accused person has been found to be of unsound mind and has been dealt with under section 466, nil entries shall be made in columns 4 to 19, and the case regarding him shall not be treated for statistical purposes as pending.

(9) When an accused person has absconded, no entries shall be made in columns 4 to 19 and a note of the action taken in regard to the accused shall be made in the column of remarks.

(10) Save as may be required for the entries in columns 38 and 39, one line only shall be given to each case and no names shall be entered.

(11) In calculating the duration of a case for the purpose of column 20, a case shall be held to begin on the earliest date entered against any person accused in the case in columns 6 to 9 and to end on the date entered in column 10 of Register No. 18.

(12) In every case in which a sentence of whipping would have been legal but such punishment has not been awarded, a note to that effect shall be made in the column of remarks.

(13) For every entry in columns 21, 22, 23, 31 or 32 there must be a corresponding entry in columns 33 to 36. There can be no entry in column 37 unless there is also an entry in column 21 to 23 and another entry in columns 33 to 36.

(14) When a person is sentenced under one conviction to more punishments than one, or is committed to prison in default of compliance with an order, an entry shall be made of every such punishment or imprisonment.

Illustrations—(i) A person is sentenced to rigorous imprisonment with solitary confinement and to a fine, and is ordered to execute a bond for keeping the peace. He will be shown in column 21 and in column 25 and in column 29.

(ii) A person is ordered to give security for good behaviour and does not give it. He will in every case be shown in column 30, and he will be shown also in column 32, except in a case in which

the proceedings have to be submitted to a Court of Session under section 123. In such a case the imprisonment in default will be entered in the register of the Court of Session.

(15) For a person shown in column 18 or 19 no entry shall be made in columns 21 to 39.

(16) Whenever any appeal that might be made by a person entered in column 8 or column 13 would lie to a Court other than that to which appeals would generally lie, a note of the Court to which the appeal would lie shall be made in the column of remarks; for instance, in a case in which a 1st class Magistrate makes an order under section 118, there should be a note "appealable to the District Magistrate"; but in a similar case before a Subdivisional Magistrate of the 2nd class, no note would be required.

(17) The entry in column 38 shall be the number of the section defining the offence, not the number of the section under which the offence is punishable.

(18) Whenever an entry is made in column 26 or 27, a note shall be made in the column of remarks, whether or not the person whipped has been previously convicted.

(19) Particular care shall be taken that an entry is not made in column 28 (but is made in column 26 or column 27 as the case may require) when a juvenile is sentenced to whipping for an offence for which an adult also may be whipped.

(20) Any punishment or order passed regarding a person convicted that cannot be shown in any of columns 21 to 30 shall be entered in the column of remarks.

(21) When a youthful offender is dealt with under section 8 or section 9 of the Reformatory Schools Act, 1897 as adapted to Rajasthan, a note of the order and of the Magistrate by whom it was passed shall be made in the column of remarks of this register in the Court of the Magistrate who convicted him.

(22) A note shall be made in the column of remarks against every case in which a complainant or informant is ordered to pay compensation under section 250.

(23) To the register shall be prefixed an index in two columns the first column shall contain the entries given in the schedule of offences (Rule 173) and such other local and special laws, cases relating to which are entered in the register; and in the second column shall be entered the serial numbers of the cases falling within each entry. The index shall be written up as each page of the register is completed.

Register No. 22.

(Register of Police Reports of Offences).

(1) This register should be maintained by all Magistrates empowered to take cognizance of offences on Police reports under section 190 (1) (b) of the Criminal Procedure Code.

(2) All reports received by a Magistrate from the Police under section 157 (1) of the Code shall be entered in this register.

(3) In column 10 of the register, the date of receipt of the final investigation report under section 173 is to be noted. This report may be either a challan in which the accused person is produced for trial or an 'Ikhtatami' or a report in which the accused is not challaned either because the case is found to be false or because the accused is not traceable or because sufficient evidence is not available to bring home the charge against the accused.

(4) The cases in which the accused is challaned shall be noted in column 16 of the register and shall be entered subsequently in the register of 'Regular Criminal Cases' (Register No. 18). The number assigned to the case in register No. 18 shall be entered in column 17 of this register.

(5) The cases in which the accused is not challaned shall be noted in column 14 or column 15, as the case may be, and will not be taken over in the register of 'Regular Criminal Cases'.

(6) To the register shall be prefixed an index in two columns: the first column shall contain the entries given in the schedule of offences (Rule 173) and such other local and special laws, cases relating to which are entered in the register; and in the second column shall be entered the serial numbers of the cases falling within each entry. The index shall be written up as each page of the register is completed.

Register No. 26.

(Register of Criminal Appeals).

(1) The entries in columns 1 to 10 shall be filled in when the petition is presented or is received from the Jail, or the case is received on transfer. A separate line shall be given for every appellant named in column 3. The entries in columns 5 to 10 shall be taken from the copy of the judgment or order filed with the petition. The remaining entries shall be made at the earliest opportunity.

(2) When a case is transferred to another Court, a note shall be made in the column of remarks of the name of the Court to which the case is transferred.

Register No. 27.

(Register of Criminal Appeals Disposed of)

(1) The entry in column 13 shall be the number of days from the date entered in column 2 of Register No. 26 to the date entered in column 13 inclusive, of Register No. 26.

(2) When an entry is made in column 4, a note shall at the same time be made in the column of remarks, whether the person died or escaped or whether his appeal was transferred. If it was transferred, the name of the Court to which it was transferred shall be noted.

Register No. 28.

(Register of Criminal Revisions).

(1) Whenever an application for revision is presented, or the Court sends for a record under section 435 of the Code of Criminal Procedure, 1898, or (in the case of a District Magistrate) receives a

record under that section, or takes any action in the way of revision in a case coming before it on appeal or otherwise, or receives a revision case on transfer, an entry shall be made in columns 1 to 10.

(2) Whenever the application is made on behalf of a complainant or the revision is undertaken in the interests of the complainant or prosecution, the name of the complainant or the word "State" shall be entered in column 3 and no entry whatever shall be made in column 4.

(3) Whenever the application is made or the revision is undertaken in the interest of the accused, no entry shall be made in column 3, but in column 4 shall be entered the name of every accused person in whose interest the action is taken, a separate line being given to each person.

(4) In column 8 shall be entered, each on a separate line, the names of only so many of the accused in the original case as are liable to be affected by orders passed in revision; and when there is an entry in column 4, the number of persons entered in column 4 should be the same as the number of those entered in column 8.

(5) When a case is transferred to another Court, a note shall be made in the column of remarks of the name of the Court to which the case is transferred.

Register No. 29.

(Register of Criminal Revisions Disposed of)

(1) The entry in column 10 shall be the number of days from the earliest date entered in column 2 to the date entered in column 12 inclusive in Register No. 23.

(2) When an entry is made in column 4, a note shall at the same time be made in the column of remarks, whether the person died or escaped or his case was transferred; if it was transferred, the name of the Court, to which it was transferred, shall be noted. The entries in columns 4 to 9 shall consist of the number of accused persons, whose cases are disposed of in the manner indicated by the columns.

Register No. 30.

(Register of sessions Cases)

(1) Whenever the record of a case committed for trial or transferred from another Court is received, the clerk in charge of this register shall at once enter it in columns 1 to 9, and in a case received by transfer he shall enter the name of the Court from which it is received in the column of remarks.

(2) Whenever a case is dealt with under section 480 of the Code of Criminal Procedure, 1898, he shall enter the case in columns 1, 2 and 7, leaving columns 3, 4, 5, 6, 8 and 9 blank.

(3) The entries in columns 11 to 16 shall be made at the earliest opportunity.

(4) If the same person is tried in more than one trial on separate charges, each trial shall be separately registered.

(5) In each case only the principal offence shall be taken for the entry of Act and section in column 8 and column 14.

(6) In calculating the duration of a case for the purposes of column 13, the date entered in column 2 shall be taken as the first day and the date entered in column 11 as the last day of the duration.

(7) When a case is transferred to another Court, a note shall be made, in the column of remarks of the name of the Court to which the case is transferred.

(8) When a commitment is quashed by the High Court, the whole of the entries relating to the case shall be struck out of the register.

(9) In columns 7 to 15 separate lines shall be given for each accused person.

Register No. 31.

(Register of Cases referred under Section 123, Criminal Procedure Code).

In this register shall be entered every case received on submission under section 123 of the Code of Criminal Procedure, 1898; such case shall not be entered in any other register, save as provided in the instructions on Register No. 32; and no other case shall be entered in this register. A separate line shall be given to each person mentioned in column 8. The number entered in column 11 shall be the number of days from the date entered in column 6 to the date entered in column 10 inclusive.

Register No. 32.

(Register of Sessions Cases disposed of)

(1) Whenever the clerk makes an entry in columns 10 and 12 or 13 of Register No. 31 in a case in which the Court under section 123 orders imprisonment in default of security for good behaviour, he shall at once enter the particulars of the case in this register.

(2) The directions contained in clauses (10), (12), (13), (16), (17) and (18) regarding entries in Register No. 20, shall apply to entries in this register also, the numbers of the corresponding columns being substituted, where necessary.

(3) In column 26, an entry shall be made whenever the Court makes an order under section 106, and on no other occasion.

(4) In column 27, an entry shall be made whenever the Court makes an order for imprisonment under section 123, and on no other occasion.

(5) When a person is convicted and sentenced to death or is convicted under circumstances to which section 341 applies he shall be shown in column 6 as convicted and not in column 7, which is intended only for the entry of a person whose case is submitted under section 307.

(6) When an entry is made in column 8, a note shall at the same time be made in the column of remarks, whether the person died or escaped or was transferred; if he was transferred to another

Court, its name shall be noted; and for every transfer the section of the law under which the transfer is made shall be noted.

(7) In column 6 (convicted), the entry should include the figures required for columns 17, 18 and 19 of Return No. 10. These figures should be separately indicated in the remarks column of the register.

(2) **Instructions Regarding Preparation of Periodical Returns (Statements).**

The instructions given under each Return (Statement) mentioned below shall be observed in regard to the preparation of that Return:—

Return No. 10.

(Annual Statement showing the result of Criminal Trials)

(1) In column 1 shall be entered on a separate line each bench of Magistrates and each Magistrate or Court in the order of the following classes, namely:—

(a) Benches of Magistrates, i. e., benches appointed under section 15 of the Code of Criminal Procedure, 1898;

(b) Special Magistrates, i. e., Magistrates appointed under section 14 for some class or classes of cases, or for cases generally, in any local area; e. g.—

(i) A Munsif invested with magisterial powers in a certain area;

(ii) A Railway Magistrate.

(c) Honorary Magistrates sitting singly, i. e., unpaid Magistrates appointed under section 14, who are not members of a bench;

(d) Stipendiary Magistrates sitting singly, i. e., Magistrates appointed under section 12 to be Magistrates in a district;

(e) District Magistrates under section 10 and 11;

(f) Judges of the Court of Session or Judges exercising jurisdiction therein under section 9.

(2) The entries in column 2 shall be taken from column 28 of the statement for the preceding year, and shall be verified for Magistrates' courts from Register No. 18 by a comparison of the entries in columns 1, 2, 5 and 10 regarding cases instituted in such preceding period, and for the Court of Session from the corresponding entries in Register No. 30.

(3) The entries in column 3 for Magistrates' courts shall be the total numbers of the entries in column 6 of Register No. 18; against cases instituted in the year; the entries in column 4 shall be the similar totals of column 7; those in column 5 the totals of columns 8; and those in column 6 the totals of column 9 of the same register. There will be no entries in these columns for the Court of Session except in the cases of persons proceeded against under section 480 of the Code of Criminal Procedure, 1898.

(4) In column 7, there will be no entry against Magistrates'

Courts. The entries against the Court of Session shall be the totals of persons entered in column 7 of Register No. 30 against the cases committed during the year.

(5) In column 8, the figures will be obtained from entries in column No. 3 of Register No. 18 relating to cases instituted on reference. The totals of the entries in column 19 of Register No. 20 against cases received during the year and the total of this column should generally agree with the total of column 26. Against the Court of Session the entries to be made in column 8 shall be obtained from Register No. 31.

(6) The entries in column 9 shall be made from the entries in the column of remarks in the Register Nos. 18 and 30.

(7) In column 11 against Magistrates' Courts shall be entered the totals of the entries in column 4 of Register No. 20 for the year, and against the Court of Session the totals of the entries against cases in column 8 of Register No. 32.

(8) In column 12, there will be no entry, against the Court of Session. The entries against Magistrates' courts will be the totals of the entries in column 5 of Register No. 20 for the year.

(9) In columns 13, 14 and 15, the entries for Magistrates' Courts will be the totals of the entries in columns 6, 7 and 8, respectively, of Register No. 20 for the year: those for Courts of Session will be the totals of the entries in columns 4, 5 and 6 respectively, of Register No. 32 against all cases decided during the quarter.

(10) In columns 16, 17, 18, 19, 20, 21, 22, 23, 24, and 25, the entries for Magistrates' courts will be the totals of the entries in columns 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18, respectively, of Register No. 20 for the year.

For Courts of Session the entries in columns 17, 18 and 19 will be the totals of the figures given in the remarks column of Register No. 32.

(11) In column 26, the entries against Magistrates' courts will be the totals of the entries in column 19 of Register No. 20 for the year; those against Courts of Session will be the number of entries in column 7 of Register No. 32 made during the year.

(12) In column 28, the entries for Magistrates' courts shall be verified by counting the number of persons entered in column 5 of Register No. 18 against cases that have not yet been entered also in Register No. 20.

(13) In column 29 shall be entered against Magistrates' courts the total number of cases entered in column 2 of Registers No. 20 during the year, against Courts of Session shall be entered the total number of entries made during the year in column 11 of Register No. 30.

(14) In column 30 will be entered against Magistrates' courts the totals of the entries in column 20 of Register No. 20 during the year; against Courts of Session the totals of the entries made in column 13 of Register No. 30 during the year.

(15) In column 32 will be entered against Magistrates' courts every case decided during the year or pending at its close in which the entry in column 20 of Register No. 20 is or will be more than 90.

(16) In column 33, the total number of cases left pending at the close of the year shall be shown both by the Magistrate and the Court of Session.

Return No. II.

(Annual Statement showing the Punishments inflicted by the various Criminal Tribunals in the exercise of Original Jurisdiction).

(1) In column 1, the entries shall be made as in the statement No. 10.

(2) In columns 5, 6, 7, 8, 9, 11, 12, 13, 14, 24, 25, 26, 27, and 32 against a Magistrate's court, the entries shall be the totals of the entries for the year in columns 21, 22, 23, 24, 25, 29, 30, 31, 32, 33, 34, 35, 36, and 37, respectively, of Register No. 20 the entry in column 10 shall be the totals of the entries in columns 26, 27 and 28 of the same Register; the entries in columns 15 to 23 shall be obtained from the fines register (the totals numbers entered in columns 15 to 20 being equal to the number entered in column 9); the entries in columns 29 to 31 shall be obtained from the entries in column 39 of Register No. 20; the entry in column 33 shall be obtained from the notes made during the year in the column of remarks of Register No. 20.

(3) Against a Court of Session there will be no entries in columns 12 and 33. The entries in columns 2, 3, 4, 5, 6, 7, 8, 9, 11, 14, 24, 25, 26, 27, 28 and 32 shall be the totals of columns 15, 16, 17, 18, 19, 20, 21, 22, 26, 27, 28, 29, 30, 31, 32 and 33, respectively, in Register No. 32 for the year; the entry in column 10 shall be the total of the entries in columns 23, 24 and 25 of the same Register; the entries in columns 15 to 23 shall be obtained from the fines register and checked with column 9; and the entries in columns 29 to 31 shall be obtained from the entries in column 35 of Register No. 32.

(4) Fractions of rupees shall be omitted in columns 21 to 23. In column 22 shall be included all fines realized during the year, even if some were imposed during a previous year.

(5) In columns 15 to 23 shall not be included fines imposed in appeal.

(6) The entries in column 32 shall be obtained from the entries in the column of remarks of register No. 20.

(7) In the column of remarks shall be made a note of the entries made in Register under clause (20) of instructions regarding Register No. 20.

Return No. 12.

(Annual Statement showing offences reported and persons tried, discharged, acquitted, convicted and committed by Magistrates).

(1) In column 1, the offences entered shall be the offences given under numbers 1 to 37 of the schedule of offences, and offences punishable under special and local laws, each such law under which any case is dealt with being separately specified. Entries shall be made in the order observed in the schedule; except that attempts shall be entered immediately after, and abetments shall be included with the substantive offences. In every entry of a special or local law the title of each Act shall be specified as well as its number and year.

(2) In column 3 shall be entered the number of cases entered during the previous year in Register of Complaints (Register No. 17) and the Register of Police Reports of Offences (Register No. 22) and which were not disposed of (that is, either dismissed or brought to trial) during the year as far as these registers are concerned. In column 4 shall be entered the number of cases entered during the year in the two registers mentioned above. In column 5 shall be entered the number of cases entered in columns 7 and 8 of Register No. 17 (Register of Complaints). The number of complaints dismissed during the year should be entered in this column whether the complaints were instituted during the year or were pending from the previous year. In column No. 6 should be entered the number of cases shown to be struck off as false in column 14 of Register No. 22. Offences struck off as false during the year should be entered in this column whether they were reported during the year or were pending investigation from the previous year. In column No. 7 shall be entered offences returned as true of those shown in column No. 3. In column No. 8 shall be entered the offences returned as true of those entered in column No. 4. The number of offences returned as true shall be found by deducting from the offences reported—the number of complaints dismissed under Section 203 and the number of cases struck off as false (column 14 of Register No. 22). The totals of the entries in columns 7 and 8 should agree with the totals of the entries in columns 3 and 4 after deducting the totals of the entries in columns Nos. 5 and 6. In column No. 9 shall be entered the number of cases entered in Register No. 20 for the year.

(3) In column 10 shall be entered the number of accused persons entered in column 5 of Register No. 18 for the year and also the number of accused persons entered in column 5 of Register No. 18 for the previous year against cases left pending at the close of the previous year (or commencement of the year under report). In column 11 shall be entered the number of persons shown in column 5 of Register No. 20; in column 12 shall be entered the number of persons shown in column 6 of this register; in column 13 shall be

entered the number of persons shown in column 7 of the register; in column 14 shall be entered the number of persons shown in columns 8 to 17 of the register; in column 15 shall be entered the number of persons shown in column 18 of the register, and in column 16 the number shown in column 4 of that register. The distribution of such persons under the several offences can be effected by means of the index to the register.

(4) The number entered in column 17 shall be the number of persons entered in column 5 of the Register No. 18 against cases left pending at the end of the year. The totals of columns 11 to 17 should be equal to the total of column 10. In column 19 shall be Noted—

- (a) how many of the persons entered in column 16 died, how many escaped and how many were transferred;
- (b) the names of the Courts to which such last mentioned persons were transferred.

In column 18 shall be noted in how many of the cases entered in column 6 against each offence the complainant was ordered to pay compensation under section 250 of the Code of Criminal Procedure, 1898. Complainants ordered to pay compensation under section 250 are not to be entered as convicted.

NOTE:—Cases under sections 107, 108, 109, 110, 118, 120 and 123, Criminal Procedure Code, 1898, only will be shown under the appropriate head of the schedule in Return No. 12. Cases dealt with under section 106 of the Code of Criminal Procedure, 1898, are not to be shown in Return No. 12 against Part II proceedings under Chapter VIII "Security for keeping the peace", schedule number of offence 34 or an Return No. 11, column 11.

Return No. 13.

(Statement showing the particulars of whipping inflicted by the Criminal Courts).

(1) Against the second sub-head of Part IV shall be shown all convictions under which whipping might have been, but was not, inflicted as a punishment. These convictions shall be ascertained from the notes made in the column of remarks of the registers numbered 20 and 32 in accordance with clause (12) of instructions on Register No. 20.

(2) The figures for the Courts of Magistrates shall be entered in black ink, and any alterations in, or additions to such figures made by the Court of Session shall be made in red ink.

(3) An entry in part I of the statement for Magistrates' Courts shall be made for every entry in column 26 of Register No. 20. The section against which it should be made shall be ascertained from the entry column 38, and the column under which it should be made from the entry in column 39.

(4) An entry in Part II shall be made in a similar way for every entry in column 27, and an entry in Part III for every entry in column 28 of the same Register.

(5) The entries in these parts relating to Courts of Session shall be similarly made from the entries in the corresponding columns of Register No. 32.

(6) In parts I and III of the whipping statement the total number of persons convicted and whipped on (i) first conviction, (ii) on re-conviction should be entered at the foot of those parts collectively, thus:—

| | | | |
|-------------------------|-----|-----|-------|
| (i) On first conviction | ... | ... | 90 |
| (ii) On re-conviction | ... | ... | 30 |
| | | | <hr/> |
| | | | 120 |
| | | | <hr/> |

These figures shall be ascertained from the note made in the Remarks Column of Register No. 20 in accordance with para No. (17) of the instructions regarding that register.

In the body of the statement, it is unnecessary to show details as to first or subsequent convictions; only the totals need be entered.

Return No. 14

(Annual Statement showing proceedings of Magistrates under the Code of Criminal Procedure).

(1) Against sub-head 1 shall be entered particulars of every case of the kind entered in Register No. 19. Every case under section 485 shall be entered both as before the Court and as disposed of and every person concerned therein as subjected to an order. As regards cases under Chapter VI-C, in column 2 shall be entered every case in which a proclamation was issued during the year, and every case in which a proclamation was issued in a previous year and the property has not finally been restored or been appropriated to the Government. In column 3 shall be entered every person concerned in the cases entered in column 2. In column 4 shall be entered every case in which an attachment was released or property restored or a final order made for appropriation to Government during the year. In column 5 shall be entered every person whose property was released from attachment or restored to him during the year. In column 6 shall be entered every person whose property was finally appropriated to Government during the year.

(2) Against sub-head 2 in column 2 shall be entered (i) every case in regard to which an entry was made in column 29 of Register No. 20 during the year; (ii) every case in regard to which an entry was made in column 5 of Register No. 20 if the schedule number "36" is entered against such case in column 12 of Register No. 18 and such case is entered in the Index of Register No. 20 against Schedule No. 36. (vide para No. (22) of the Instructions relating to this register); (iii) every case pending at the end of the year in Register No. 18, against which the entry in column 4 of such register is "section 107". Entries shall be made in the remaining columns regarding all such cases.

(3) Against sub-head 3 in column 2 shall be entered (i) every case in regard to which an entry was made in column 30 of Register No. 20 during the year, (ii) every case in regard to which an entry was made in column 5 of Register No. 20 if the schedule number "37" is entered against such case in column 12 of Register No. 18 and such case is entered in the Index of Register No. 20 against Schedule No. 37 (vide para No. (22) of the Instructions relating to this register); (iii) every case pending at the end of the year in Register No. 18 against which the entry in column 4 of such register is "section 109" or "section 110". Entries shall be made in the remaining columns regarding all such cases.

(4) Against sub-head 4 in column 2 shall be entered those cases only out of the cases under Chapter X entered in Register No. 19 in which the persons against whom an order was made did not comply therewith under clause (a) of Section 135, or in which the period for compliance has not expired at the end of the year. In column 5 shall be entered every person regarding whom no further proceedings were taken under section 141: in column 4 shall be entered the cases of such persons as are entered in columns 5 and 6.

(5) Against sub-head 5 in column 2 shall be entered every case under Chapter XII entered in Register No. 19 during the year or pending from the previous year. If an order is cancelled and proceedings are stayed under the fifth clause of section 145, or if on an inquiry under section 147 no order is made, the persons concerned shall be entered in column 5. If an order is issued under the sixth clause of section 145 or an attachment made under section 146 or order made under section 147, the persons concerned shall be entered in column 6. In column 4 shall be entered the cases of such persons as are entered in columns 5 and 6.

(6) Against the remaining sub-heads 6 to 9 shall be entered every case of the kind entered in Register No. 19.

Return No. 15.

[Annual Statement showing the number of Witnesses (including Complainants) examined and discharged without examination, the period of their detention and the sum paid to them as diet and travelling expenses].

(1) The entries in column 1 shall be made according to the directions for the same entries in Return No. 10.

(2) The entries in the remaining columns shall be made from Register No. 33.

Return No. 16.

(Annual Statement showing the results of appeals in Criminal Cases).

(1) In column 1, the Courts appealed from shall be entered according to the instructions for entries in column 1 of Return No. 10.

(2) The remaining columns shall be filled up from registers Nos. 26 and 27, thus.—

Column 3 from columns 4 of Register No. 27.

| | | | | | | | | |
|-----------------------------------|----|---|---|----|---|---|---|---|
| " | 4 | " | " | 5 | " | " | " | " |
| " | 5 | " | " | 6 | " | " | " | " |
| " | 6 | " | " | 7 | " | " | " | " |
| " | 7 | " | " | 8 | " | " | " | " |
| " | 8 | " | " | 9 | " | " | " | " |
| " | 11 | " | " | 1 | " | " | " | 26 |
| (of the year under report only) | | | | | | | | |
| " | 12 | " | " | 1 | " | " | " | 27 and column 13 of Register No. 26. |
| " | 16 | " | " | 13 | " | " | " | 27 |

Return No. 17.

(*Annual Statement showing the results of
Revisions in Criminal Cases*).

(1) In column 1, the Courts whose proceedings were had in revision shall be entered according to the instructions regarding entries in column 1 of Return No. 10.

(2) In column 2 shall be entered the number of persons entered in column 4 of Register No. 28 against cases instituted during the year or pending from the previous year. The remaining columns shall be filled up from registers Nos. 28 and 29, thus.—

Column 3 from column 4 of register No. 29.

| | | | | | | | | |
|------------------------------------|----|---|---|----|---|---|---|---|
| " | 4 | " | " | 5 | " | " | " | " |
| " | 5 | " | " | 6 | " | " | " | " |
| " | 6 | " | " | 7 | " | " | " | " |
| " | 7 | " | " | 8 | " | " | " | " |
| " | 8 | " | " | 9 | " | " | " | " |
| " | 10 | " | " | 8 | " | " | " | 28. |
| (against pending cases only). | | | | | | | | |
| " | 11 | " | " | 1 | " | " | " | 28 |
| (of the year under report only). | | | | | | | | |
| " | 12 | " | " | 12 | " | " | " | and 28 column No. 1 of Register No. 29. |
| " | 16 | " | " | 10 | " | " | " | 29. |

Return No. 19.

(*Annual Statement showing the number and result of
Trials in the Court of Session*)

(1) In column 1, the order given in the schedule of offences given in Rule 173, shall be followed, attempts being entered immediately after and abetments being included with the offences named in the schedule.

(2) The entries in the remaining columns shall be obtained from the Registers Nos. 30, 31 and 32.

(3) In column 17 shall be reproduced the notes made in the column of remarks of Register No 32 regarding the persons entered in column 8 of that register.

Return No. 20.

(Annual Statement showing proceedings of the Court of Sessions under the Code of Criminal Procedure, 1898)

In the preparation of this annual Return (Statement), the instructions given on Return No. 14 as regards entries against sub-heads 1, 7, and 9 shall apply to the entries against sub-heads 1, 3, and 4, respectively.

The entries against sub-head 2 shall be obtained from column 26 of Register No. 32

Return No. 21.

Annual Statement showing the use of Juries and Assessors in the Court of Sessions)

The annual Return (Statement) in this form shall be, prepared from column 11 of Register No. 30 and columns 9, 10, 11, 12, 13 and 14 of Register No. 32.

CODE OF CRIMINAL PROCEDURE, 1898

The notifications reproduced under this heading have been issued by the Government in exercise of the powers conferred under different sections of the Criminal Procedure Code. The sections of the Code conferred such powers are reproduced below:—

4. (p) "*Officer in charge of a police-station*" includes, when the officer in charge of the police-station is absent from the station-house or unable from illness or other cause to perform his duties, the police-officer present at the station-house who is next in rank to such officer and is above the rank of constable or, when the State Government so directs, any other police officer so present;

(s) "*Police-station*" means any post or place declared, generally or specially, by the State Government to be a police-station, and includes any local area specified by the State Government in this behalf;

7. *Sessions divisions and districts.*—(1) Every State (excluding the presidency-towns) shall be a sessions division, or shall consist of sessions divisions; and every sessions division shall, for the purposes of this Code, be a district or consist of districts.

(2) *Power to alter divisions and districts.*—The State Governments may alter the limits or the number of such divisions and districts.

(3) *Existing divisions and districts maintained till altered.*—The sessions divisions and districts existing when this Code comes into force shall, be sessions divisions and districts respectively, unless and until they are so altered.

(4) *Presidency towns to be deemed districts.*—Every Presidency-town shall, for the purpose of this Code, be deemed, to be a district.

9. *Court of Session.*—(1) The State Government shall establish a Court of Session for every sessions division, and appoint a judge of such Court.

(2) The State Government may, by general or special order in the Official Gazette, direct at what place or places the Court of Session shall ordinarily hold its sitting; but if, in any particular case, the Court of Session is of opinion that it will tend to the general convenience of the parties and witnesses to hold its sitting at any other place in the sessions division, it may, with the consent of the prosecution and the accused, sit at that place for the disposal of the case or the examination of any witness or witnesses therein.

(3) The State Government may also appoint Additional Sessions Judges and Assistant Sessions Judges to exercise jurisdiction in one or more such Courts.

(4) A Sessions Judge of one sessions division may be appointed by the State Government to be also an Additional Sessions Judge of another division and in such case he may sit for the disposal of

cases at such place or places in either division as the State Government may direct.

(5) All Courts of Session existing when this Code comes into force shall be deemed to have been established under this Act.

10(2) The State Government may appoint any Magistrate of the first class to be an Additional District Magistrate and such Additional District Magistrate shall have all or any of the powers of a District Magistrate under this Code, or under any other law for the time being in force, as the State Government may direct.

12 *Subordinate Magistrates.*—(1) The State Government may appoint as many persons as it thinks fit, besides the District Magistrate, to be Magistrates of the first, second or third class in any district outside the Presidency-towns and the State Government or the District Magistrate, subject to the control of the State Government, may from time to time, define local areas within which such persons may exercise all or any of the powers with which they may respectively be invested under this Code.

(2) *Local limits of their jurisdiction.*—Except as otherwise provided by such definition, the jurisdiction and powers of such persons shall extend throughout such district.

13. *Power to put Magistrate in charge of sub-division.*—(1) The State Government may place any Magistrate of the first or second class in charge of a sub-division, and relieve him of the charge as occasion requires.

(2) Such Magistrate shall be called Sub-divisional Magistrates.

(3) *Delegation of powers to District Magistrate.*—The State Government may delegate its powers under this section to the District Magistrate.

14 *Special Magistrates.*—(1) The State Government may confer upon any person who holds or has held any judicial post under the Union or a State or possesses such other qualification as may, in consultation with the High Court, be specified in this behalf by the State Government by notification in the Official Gazette all or any of the powers conferred or conferrable by or under this Code on a Magistrate of the first, second or third class in respect to particular cases or to particular class or particular classes of Cases, or in regard to cases generally in any local area outside the Presidency-towns.

(2) Such Magistrates shall be called Special Magistrates, and shall be appointed for such term as the State Government may by general or special order direct.

(3) The State Government may delegate, with such limitations as it thinks fit, to any officer under its control, the powers conferred by sub-section (1)

(4) No powers shall be conferred under this section on any police officer below the grade of Assistant District Superintendent, and no powers shall be conferred on a police officer except so far as may be necessary for preserving the peace, preventing crime and

detecting, apprehending and detaining offenders in order to their being brought before a Magistrate, and for the performance by the officer of any other duties imposed upon him by any law for the time being in force.

37. *Additional powers conferrable on Magistrates*—In addition to his ordinary powers, any Sub-Divisional Magistrate or any Magistrate of the first, second or third class may be invested by the State Government or the District Magistrate, as the case may be, with any powers specified in the fourth schedule as powers with which he may be invested by the State Government or the District Magistrate.

39. *Mode of conferring powers*.—(1) In conferring powers under this Code the State Government may by order, empower persons specially by name or in virtue of their office or classes of officials generally by their official titles.

(2) Every such order shall take effect from the date on which it is communicated to the person so empowered.

134. *Service or notification of order*.—(1) The order shall, if practicable, be served on the person against whom it is made, in manner herein provided for service of a summons.

(2) If such order cannot be served, it shall be notified by proclamation, published in such manner as the State Government may by rule direct, and a copy thereof shall be stuck up at such place or places as may be fittest for conveying the information to such person.

156. *Investigation into cognizable cases*.—(1) Any officer in charge of a police station may, without the order of a Magistrate, investigate any cognizable case which a Court, having jurisdiction over the local area within the limits of such station would have power to inquire into or try under the provision of Chapter XV relating to the place of inquiry or trial.

(2) No proceeding of a police officer in any such case shall, at any stage, be called in question on the ground that the case was one which such officer was not empowered under this section to investigate.

(3) Any Magistrate empowered under section 190 may order such an investigation as above mentioned.

193, (2) Additional Sessions Judges and Assistant Sessions Judges shall try such cases only as the State Government by general or special order may direct them to try, or as the Sessions Judge of the division, by general or special order may make over to them for trial.

207. (14) When the accused is committed for trial, the Magistrate shall issue an order to such person as may be appointed by the State Government in this behalf, notifying the commitment, and stating the offence in the same form as the charge; and shall send the charge, the record of the inquiry and any weapon or other thing which is to be produced in evidence, to the Court of Session or where the commitment is made to the High Court, to the clerk

of the State or other officer appointed in this behalf by the High Court.

218. *Commitment when to be notified.*—(1) When the accused is committed for trial, the Magistrate shall issue an order to such person may be appointed by the State Government in this behalf notifying the commitment, and stating the offence in the same form as the charge, unless the Magistrate is satisfied that such person is already aware of the commitment and the form of the charge;

Charge, etc., to be forwarded to High Court or Court of Session.—and shall send the charge, the record of the inquiry and any weapon or other thing which is to be produced in evidence, to the Court of Session or (where the Commitment is made to the High Court) to the Clerk of the State or other officer appointed in this behalf by the High Court.

409. *Appeals to Courts of Session how heard.*—(1) Subject to the provisions of this section, an appeal to the Court of Session or Sessions Judge shall be heard by the Sessions Judge or by an Assistant Sessions Judge or an Assistant Sessions Judge :

Provided that no such appeal shall be heard by an Assistant Sessions Judge unless the appeal is of a person convicted on a trial held by any Magistrate of second or third class.

(2) An Additional Sessions Judge or an Assistant Sessions Judge shall hear only such appeals as the State Government may, by general or special order, direct or as the Sessions Judge of the division may make over to him.

492. *Power to appoint Public Prosecutors.*—(1) The State Government may appoint, generally, or in any case, or for any specified class of cases, in any local area, one or more officers to be called Public Prosecutors.

(2) The District Magistrate, or, subject to the control of the District Magistrate, Subdivisional Magistrate, may, in the absence of the Public Prosecutor or where no Public Prosecutor has been appointed, appoint any other person, not being an officer of police below such rank as the State Government may prescribe in this behalf to be Public Prosecutor for the purpose of any case.

539. *Courts and persons before whom affidavits may be sworn.*—Affidavits and affirmations to be used before any High Court or any officer of such Court may be sworn and affirmed before such Court or the Clerk of the State, or any Commissioner, or other person appointed by such Court for that purpose, or any Judge, or any Commissioner for taking affidavits in any Court of Record in India, or any Commissioner to administer oaths in England or Ireland, or any Magistrate authorized to take affidavits or affirmations in Scotland.

551. *Powers of superior officer of police.*—Police-officers superior in rank to an officer in charge of a police-station may exercise the same powers, throughout the local area to which they are appointed, as may be exercised by such officer within the limits of his station.

P.P.S.

Published in Raj. Raj-patra Vol. 3 No. 58 Dated 23-5-51 *part I at page 341* :

LAW DEPARTMENT.

NOTIFICATION.

Jaipur, June 12, 1951,

No. 3. (35) L. R./51.—In exercise of the powers conferred by sub section (1) of section 492 of the Code of Criminal Procedure, 1898, the Government of Rajasthan is pleased to appoint the Prosecuting Inspectors and the Prosecuting Sub-Inspectors of the Police Department as *ex officio* Public Prosecutors within their districts of posting for cases tried or enquired into by Magistrates after investigation by the police.

By Order of

His Highness the Rajpramukh,
PRABHU DAYAL LOIWAL
Secretary to the Government,
Law Department.

Published in Raj. Raj-patra Vol. 3 No. 121 Dated 1-12-51 at page 765 :

LAW DEPARTMENT.

NOTIFICATIONS.

Jaipur, November 12, 1951.

No. 3 (65) L. R. 51.—In pursuance of section 492 of the Code of Criminal Procedure, 1898 (V of 1898), the Government of Rajasthan are pleased to appoint the following officers to whom notices of appeal under the said section shall be given by the Appellate Courts specified against each:—

- | | |
|---|---|
| 1. Government Advocate, Jodhpur. | High Court Bench, Jodhpur. |
| 2. Government Advocate, Jaipur Mr. Radha Krishna Rastogi. | High Court Bench, Jaipur if the case under appeal has arisen from the areas covered by former Jaipur State. |
| 3. Government Advocate, Jaipur Ram Avtar Gupta. | High Court Bench, Jaipur if the case under appeal has arisen from the Kotah Division, former Matsya States and areas covered by former Kishangarh and Tonk States. |
| 4. Public Prosecutors. | Respective Courts of Session to which the Public Prosecutors are attached. |

Jaipur, November 21, 1951.

No. 3 (63) L. R. 51.—In exercise of the powers conferred by section 492 of the Code of Criminal Procedure 1898, the Government of Rajasthan have been pleased to appoint the Enforcement Inspectors of Civil Supplies Department as Public Prosecutors for

conducting the cases in respect of offences relating to control orders in the subordinate courts in Rajasthan.

By Order of
His Highness the Rajpramukh
ANOP SINGH,
Secretary to the Government,

Published in Raj. Raj-patra Dated July 30, 1955 part I (a) at page 112 ;

[Authorised by His Highness the Rajpramukh].

Jaipur, July 12, 1955.

No. F. 3 (29) LR/55.—In exercise of the powers conferred by sub-section (1) of section 492 of the Code of Criminal Procedure, 1898, (V of 1898), the Government of Rajasthan is pleased to appoint all Prosecuting Inspectors of the Excise and Taxation Department, Rajasthan, to be Ex-Officio Public Prosecutors for cases relating to offences under Excise, Customs and Sales Tax Laws, for their respective areas.

By Order of
His Highness the Rajpramukh,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

Published in Raj Raj-patra Dated December 31, 1955 part I (a) at page 265 ;

[Authorised by His Highness the Rajpramukh.]

NOTIFICATION.

Jaipur, December 19, 1955.

No. D 10981/F. 3 (45) LR/55.—In supersession of Law Department Notification No. F. 3 (77) LR/50/2688, dated the 1st August, 1950, and in pursuance of sub-section (14) of section 207A and sub-section (1) of section 218 of the Code of Criminal Procedure, 1898, the State Government is pleased to appoint the Public Prosecutor or the Additional Public Prosecutor concerned as the officer to whom orders of commitments for trial of accused persons made by Magistrate shall be notified.

By order of
His Highness the Rajpramukh,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

DELHI POLICE ESTABLISHMENT

Published in Raj. Raj-patra Dated August 1, 1953 part I at page 526 ;

LAW DEPARTMENT

NOTIFICATION.

Jaipur, July 20, 1953.

No. F. 3 (72)/53/6152.—In exercise of the power conferred by section 492 of the Code of Criminal Procedure, 1898 (Act No. V of 1898), the Government of Rajasthan is pleased to appoint—

(i) Prosecuting Inspector and Prosecuting Sub-Inspector of Special Police Establishment, Ajmer and

(ii) Public Prosecutor, Special Police Establishment, Lucknow.

to be public prosecutors for the purpose of conducting cases of the Special Police Establishment constituted under the Delhi Special Police Establishment Act, 1946 (Act No. XXV of 1946) in original, appellate and revisional Courts in Rajasthan.

By Order of
His Highness the Rajpramukh
PRABHU DAYAL LOIWAL,
Legal Remembrancer.

Published in Raj. Raj-patra Dated November 29, 1956 part I (a) at page 233 :

NOTIFICATION

Jaipur, November 14, 1956.

No. F. 2 (1) Jud/52/ B/1286.—In exercise of the powers conferred by sections 12 and 14 of the Code of Criminal Procedure, 1898, (hereinafter referred to as the Code), the State Government is pleased to appoint the Railway Magistrate, Jaipur in virtue of his office, to be special Magistrate to try or to commit for trial all cases investigated by the Delhi Special Police Establishment occurring in Rajasthan. The said Special Magistrate shall exercise the ordinary powers of a Magistrate of the First Class and all additional powers specified in the Fourth Schedule to the Code with which a First Class Magistrate can be invested.

By Order of the Governor,
P. D. LOIWAL,
Secretary to the Government.

Published in Raj. Raj-patra Dated September 18, 1958 part IV (c) at page 985 :

LAW AND JUDICIAL (C) DEPARTMENT

NOTIFICATION

Jaipur, August 21, 1958.

No. F. 5 (138) LR/56.—In exercise of the powers conferred by section 492 of the Code of Criminal Procedure, 1898 (V of 1898) and in supersession of previous Notifications on the subject the Government of Rajasthan hereby appoints the Prosecuting Officers attached to the Delhi Special Police Establishment specified in the Schedule hereto as Special public Prosecutors to conduct cases of the Delhi Special Police Establishment before all courts of Magistrates, Special Judges and Sessions Judges in the State of Rajasthan.

SCHEDULE

| | |
|--|---|
| Public Prosecutor, | Central Investigating Agency Branch of the Delhi Special Police Establishment. |
| Assistant Public Prosecutor Grade I and Assistant Public Prosecutor Grade II. | Jaipur Branch of the Delhi Special Police Establishment. |

By Order of the Governor,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

Published in Raj. Raj-patra Dated December 18, 1958 part IV (c) at page 1265 :

LAW AND JUDICIAL (C) DEPARTMENT

NOTIFICATION

Jaipur, November 24, 1958.

No. F. 5 (138) LR/56.—In exercise of the powers conferred by section 492 of the Code of Criminal Procedure, 1898 (V of 1898), the Government of Rajasthan hereby makes the following amendment in this Department Notification of even number dated the 21st August, 1958 (published in the Rajasthan Gazette Part IV-C, dated the 18th September, 1958 at page 985), namely:—

AMENDMENT

For the existing Schedule to the said Notification, the following Schedule shall be substituted, namely:—

SCHEDULE

| | |
|--|--|
| Public Prosecutor | Central Investigating Agency Branch of the Delhi Special Police Establishment. |
| Public Prosecutor Assistant Public Prosecutor Grade I and Assistant Public Prosecutor Grade II | Jaipur Branch of the Delhi Special Police Establishment. |

By Order of the Governor
PRABHU DAYAL LOIWAL,
Secretary to the Government.

POWERS OF MAGISTRACY

Published in Raj. Raj-patra Vol. 2 No. 17 Dated 20-5-50 Part I at page 87 :

JUDICIAL DEPARTMENT

NOTIFICATIONS

Jaipur, May 5, 1950.

No. F. 1 (32) Jud./50.—In pursuance of section 37 of the Code of Criminal Procedure, 1898, as adapted to Rajasthan, read with section 39 thereof, the Government of Rajasthan is pleased to invest the Extra Magistrate, Nathdwara, in virtue of his office with the following special powers to be exercised by him within his jurisdiction:—

(1) Power to make orders under section 144 Cr. P. C.

(2) Power to take cognizance of offences—

(a) upon complaint;

(b) upon Police reports;

(c) without complaint;

section 190, Code of Criminal Procedure.

The Government is further pleased to order that cases under the preventive sections of the Code will continue to be filed in the Court of the Sub-Divisional Magistrate.

Published in Raj. Raj-patra Vol. 2 No. 48 Dated 26-8-50 Part I at page 375 :

JUDICIAL DEPARTMENT

NOTIFICATION

Jaipur, August 19, 1950.

No. F.1 (75) Jud./50.—In pursuance of section 37 of the Code of Criminal Procedure, 1898, as adapted to Rajasthan, read with section 39 thereof, the Government of Rajasthan is pleased to invest the marginally noted Tehsildars, in virtue of their office, with the following special powers:

| | |
|-------------------------|---------------------------------|
| Tehsildar, Rajgarh. | (1) Power to record statements |
| Tehsildar, Lachmangarh. | and confessions during a Police |
| Tehsildar, Thanagbazi. | investigation section 164; |

(2) Power to authorise detention of a person in the custody of the Police during a Police investigation, section 167; and

(3) Power to take cognizance of offences upon complaint, section 190.

By Order of
His Highness the Rajpramukh,
PRABHU DAYAL LOIWAL,
Secretary to the Government
of Rajasthan,
Judicial Department.

Published in Raj. Raj-patra Vol. 2 No. 50 Dated 29-50 part I at page 396 :
Jaipur, August 26, 1950.

No. F. 1 (76) Jud./50.—In exercise of the power conferred by sections 12 and 13 of the Code of Criminal Procedure, 1898, of the Central Legislature as adapted to Rajasthan, the Government of Rajasthan is pleased to abolish the post of City Magistrate, Sambhar and to direct that the Assistant Collector-in charge of the Sambhar Sub Division shall, in virtue of his office, exercise the powers of a Magistrate of the First Class within and act as Sub-Divisional Magistrate for the Sambhar Sub-Division.

By Order of
His Highness the Raj Pramukh,
PRABHU DAYAL LOIWAL,
Secretary to the Government
of Rajasthan,
पुलिस विभाग
Judicial Department.

Published in Raj. Raj-patra Vol. 2 No. 60 Dated 23-9-50 part I at page 431 :
Jaipur, September 8, 1950.

No. F.1 (67) Jud./50—In pursuance of section 37 of the Code of Criminal Procedure, 1898, as adapted to Rajasthan, the Government of Rajasthan is pleased to invest the Extra Magistrate, Gangapur (Bhilwara District), in virtue of his office, with powers to take direct cognizance of offences on complaint under section 190 (1) (a) of the said Code, within his local jurisdiction.

Jaipur, December 11, 1950.

No. F. 1 (60) Jud/50 (III)—In pursuance of section 37 of the Code of Criminal Procedure, 1898, as adapted to Rajasthan read with section 39 thereof, the Government of Rajasthan is pleased to invest the Extra Magistrates mentioned in the schedule annexed

Power to take cognizance of offences under section 190, Code of Criminal Procedure—

- (a) on complaint;
- (b) on Police reports; and
- (c) without complaint.

2. The Government is further pleased to direct that cases under chapters VIII to XII of the Code of Criminal Procedure will continue to be instituted in the courts of Sub-Divisions! Magistrates and will ordinarily be disposed of by them.

hereto, in virtue of their office, with the marginally noted additional powers to be exercised by them within the area as noted against each.

2. The Government is further pleased to direct that cases under chapters VIII to XII of the Code of Criminal Procedure will continue to be instituted in the courts of Sub-Divisions! Magistrates and will ordinarily be disposed of by them.

By Order of
Hjs Highness the Rajpramukh,
PRABHU DAYAL LOIWAL,
*Secretary to the
Government of Rajasthan,
Judicial Department.*

SCHEDULE.

| S. No. | Name of Courts. | Head quarter. | Territorial jurisdiction. |
|--------|--|---------------|---|
| 1 | Extra Magistrate First class, Bandikui | Bandikui | Baswa and Sikrai Tehsils |
| 2 | Extra Magistrate First class, Uniara. | Uniara | Thikana Uniara & Aligarh Tehsil. |
| 3 | Extra Magistrate First class, Chirawa. | Jhunjhunu | Police Stations of Chirawa Narhar and Surjgarh. |
| 4 | Extra Magistrate First class, Kishangarh Tijara. | Tijara | Tijara Sub-division. |
| 5 | Extra Magistrate First class, Rajgarh. | Rajgarh | Rajgarh Sub-division. |
| 6 | Extra Magistrate First class, Kotra | Kotra | Kotra Tehsil. |
| 7 | Extra Magistrate First class, Salumber | Salumber | Salumber Tehsil. |
| 8 | Extra Magistrate First class, Mavli | Mavli | Mavli & Bhupalsagar Tehsils. |
| 9 | Extra Magistrate First class. Kanod. | Kanod | Lasadia Tehsil & Bhinder & Kanod Sub-tehsils of Vallabh Nagar (Unthala) Tehsil. |
| 10. | Extra Magistrate First class, Chhoti Sadri | Chhoti Sadri | Chhoti Sadri & Bari Sadri Tehsils, |
| 11 | Extra Magistrate First class, Gangapur (Bhilwara District) | Gangapur | Saheda, Karera & Raipur Tehsils. |
| 12 | Extra Magistrate First class, Jahazpur | Jahazpur | Jahazpur Tehsil. |
| 13 | Extra Magistrate First class, Indergarh | Itawah | Itawah and Pipalda Tehsils. |
| 14 | Extra Magistrate First class, Patan (Bundi District) | Patan | Patan Tehsil. |
| 15 | Extra Magistrate First class, Pirawa | Pirawa | Pirawa Tehsil. |
| 16 | Extra Magistrate First class, Bhawani Mandi | Bhawani Mandi | Dag. Gangdhar & Pachpahar Tehsils. |

Published in Raj. Raj-patra Vol 3 No. 651 Dated 7-7-51 part I at page 374 :

Jaipur, June 26, 1951,

No. F. 1 (29) Jud./51.—In exercise of the powers conferred by section 37 of the Code of Criminal Procedure, 1898 (herein after referred to as "the Code"), the Government of Rajasthan is pleased to invest the City Magistrate, Jaipur, in virtue of his office, with the following additional powers:—

- (1) Power to require security for good behaviour in case of sedition under section 108 of the Code;
- (2) Power to try summarily, section 260 of the Code;
- (3) Power to hear appeals from conviction by Magistrates of II and III Class, section 407 of the Code;
- (4) Power to call for records, section 435 of the Code;
- (5) Power to try cases under section 124 A of the Indian Penal Code.

Jaipur, June 26, 1951.

No. F. 1 (29) I. Jud./51.—In exercise of powers conferred by section 37 of the Code of Criminal Procedure, 1898, the Government of Rajasthan is pleased to invest the City Magistrate, Jaipur, in virtue of his office to try as a Magistrate under section 30 of the said Code, all offences not punishable with death.

By Order of
His Highness the Rajpramukh,
PRABHU DAYAL LOIWAL,
Secretary to the Government.
Judicial Department.

Published in Raj. Raj-patra Vol. 3 No. 135 Dated 5-1-52 part I at page 333 :

Jaipur, December 11, 1951.

No. F. 1 (73) Jud./51.—In exercise of the powers conferred by section 12 read with section 39 of the Code of Criminal Procedure, 1898, the Government of Rajasthan is pleased to invest the Tehsildar at Bairath, in virtue of his office with the powers of a Magistrate of the Second Class.

Published in Raj. Raj-patra Dated November 29, 1952 part I at page 855 :

Jaipur, November 18, 1952.

No. F. 1 (99) Jud./52.—In exercise of the powers conferred by section 14 of the Code of Criminal Procedure, 1898, the Government of Rajasthan, is pleased to appoint, in addition to his own duties, the Extra Magistrate, Ganganagar, as a Special Magistrate, with powers of a Magistrate of the First Class, to try all Municipal cases within the Municipal limits of Ganganagar, whether pending or to be instituted hereafter.

Published in Raj. Raj-patra Dated June 11, 1955 part I (a) at page 67 :

[Authorised by His Highness the Rajpramukh.]

Jaipur, May 26, 1955.

No. F. 1 (33) Jud./54.—In pursuance of section 12 and 37 read with section 39 of the Code of Criminal Procedure, 1898, (herein-

after referred to as 'the Code' the Government of Rajasthan hereby:—

1. Tehsildar, Jaisalmer
2. Tehsildar Ramgarh
3. Tehsildar Sam
4. Tehsildar Fatehgarh
5. Tehsildar Pokaran,
6. Tehsildar Nachua.

(1) appoints the marginally noted tehsildars, in virtue of office to be Magistrates of the second Class in Jaisalmer District; and

(2) Invests the said Tehsildars, in their capacity as Magistrates of the Second class with the following Additional powers;—

- (a) Power to make orders prohibiting repetition of nuisance—Section 143 of the Code.
- (b) Power to make orders—Section 144 of the Code.
- (c) Power to record statements and confessions during police investigation—Section 154 of the Code.
- (d) Power to authorise detention of a person in the custody of police during the police investigation—Section 167 of the Code.
- (e) Power to hold inquests—Section 174 of the Code.
- (f) Power to make orders as to first offenders—Section 562 of the Code.

By Order of

His Highness the Rajpramukh,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

Published in Raj. Raj-patra Dated October 8, 1955 part I (a) at page 185 :

JUDICIAL DEPARTMENT NOTIFICATION

Jaipur, September 10, 1955

No. F. 1 (42) Jud./55.—In pursuance of Section 12 of the Code of Criminal Procedure, 1898, the Government of Rajasthan is pleased

- (1) Dy. Director of Colonization Hanumangarh.
- (2) Dy. Director of Colonization, Suratgarh.
- (3) Dy Director of Colonization Nohar.

to appoint the marginally noted Officers, in virtue of office, to be Magistrate of the First Class within their respective jurisdiction as Deputy Director of Colonization.

Published in Raj. Raj-patra Dated June 20, 1957 part IV (c) at page 175 :

LAW AND JUDICIAL DEPARTMENT (B) NOTIFICATION

Jaipur, May 30, 1957.

No. 2450/F. 1 (103) LJ/B/57.—In exercise of the powers conferred by Sub-Section (2) of Section 13 of the Code of Criminal Procedure, 1898, as in force in the Adu area, the State Government hereby—

1. appoints the Tehsildar, Abu Road, in virtue of his office, to be Taluka-Magistrate for the Abu Road Tehsil (Taluka) of Sirohi District, And

2. Places the said Taluka. Magistrate in charge of Abu Road Tehsil (Taluka).

By Order of the Governor,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

Published in Raj. Raj-patra Vol. 3 No. 125 Dated 18-12-51 part

JUDICIAL DEPARTMENT.

NOTIFICATION.

Jaipur, December 17, 1951.

No. F. 1 (70) Jud./51.—In exercise of the powers conferred by section 12 read with section 39 of the Code of Criminal Procedure, 1898, the Government of Rajasthan is pleased to direct, in supersession of all previous orders or Notifications regarding local limits of jurisdiction of Extra Magistrates, that the local limits of jurisdiction of the Extra Magistrates First Class, in Rajasthan shall, in virtue of their office, extend throughout the districts to which they are or may be posted for the time being.

By Order of
His Highness the Rajpramukh,
SHARDOOL SINGH MEHTA,
Secretary to the Government.

Published in Raj. Raj-patra Dated April 14, 1956 part I (b) at page 34;

(Authorised by His Highness the Rajpramukh)

NOTIFICATION.

Jaipur, March 1, 1956.

No. F. 18 (62)-L/55.—In pursuance of subsection (1) of section 14 of the Code of Criminal Procedure, 1898, the Government of Rajasthan is pleased to direct that persons to be appointed as special Magistrates who do not hold or have not held any judicial post under the Union or the State Government shall be holders of a Law Degree or any equivalent academic qualification.

By Order of
His Highness the Rajpramukh,
PRABHU DAYAL DOIWAL,
Secretary to the Government.

Published in Raj. Raj-patra Dated January 8, 1955 part I (a) at page 245 :

[Authorised by His Highness the Rajpramukh]

Jaipur, December 24, 1954.

No. F. 1 (72) Jud./53 (A)—In pursuance of Sections 12 and 13 of the Code of Criminal Procedure, 1898 and in modification of all previous orders and notifications in this behalf, the State Government is pleased—

- (1) to appoint all City Magistrates, in virtue of office, to be Magistrates of the First Class, and
- (2) to direct that each such Magistrate shall, subject to any Orders of the District Magistrate, have jurisdiction in the entire District in which the City Sub-Division lies.

The State Government is further pleased to appoint, in virtue of office, the City Magistrates, respectively, to be Sub-Divisional Magistrates in charge of the City Sub-Divisions formed for purposes of the Code of Criminal Procedure, 1898, under Judicial Department Notification No. F. 2 (1) Jud./51 dated the 12th February, 1951, published in the Rajasthan Gazette, Extraordinary Part I dated the 13th February, 1951.

[Authorised by His Highness the Rajpramukh.]

Jaipur, December 24, 1954.

No. F. 1 (72 Jud./53 (B).—In pursuance of Sections 12 and 13 of the Code of Criminal Procedure, 1898 and in modification of all previous orders and notifications in this behalf, the State Government is pleased—

- (1) to appoint all Assistant Collectors-in-Charge of Sub-Divisions (Sub Divisional Officers), in virtue of office, to be Magistrates of the First Class, and
- (2) to direct that each such Magistrate shall, subject to any orders of the District Magistrate, have jurisdiction in the entire District, in which his Sub Division lies.

The State Government is further pleased to appoint in virtue of office, all Assistant Collectors in-Charge of Sub-Divisions (Sub-Divisional Officers) to be Sub-Divisional Magistrate of their respective Sub Divisions, except in the city areas which are separate sub-divisions for purposes of the criminal administration under Section 8 of the said Code.

Published in Raj. Raj-patra Dated January 28, 1956 part 1 (a) at page 291 :

NOTIFICATION.

Jaipur, January 5, 1956.

No. F. 1 (66) Jud./55.—In pursuance of Section 12 of the Code of Criminal Procedure, 1898, the Government of Rajasthan is pleased to invest all Colonisation Tehsildars and the Assistant Directors of Colonisation, in virtue of office, to be magistrates of the Third Class within their respective jurisdiction.

By Order of

His Highness the Rajpramukh,
PRABHU DAYAL LOIWAL
Secretary to the Government.

Published in Raj. Raj-patra Dated December 13, 1952 part 1 at page 370 :

JUDICIAL DEPARTMENT.

NOTIFICATIONS.

Jaipur December 3, 1952.

No. F. 1 (104) Jud./52.—In exercise of the powers conferred by section 12 of the Code of Criminal Procedure, 1898, the Government of Rajasthan is pleased to appoint all Tehsildars in Rajasthan, by virtue of their offices, to be magistrates of the Third Class within the local limits of their jurisdiction as Tehsildar.

This will not affect the previous conferment, by Government, of any larger or additional powers upon specified Tehsildars by name or by virtue of their office.

RAILWAY MAGISTRATE

Published in *Raj. Raj-patra* Vol. 2 No. 42 Dated 5-8-50 part 1 :

Jaipur, July 29, 1950,

No. F.-1 (58) Jud./50.—In exercise of the powers conferred by sections 12 and 14 of the Code of Criminal Procedure, 1898, of the Central Legislature as adapted to Rajasthan, and in supersession of all previous orders and notifications in this behalf, the Government of Rajasthan is pleased to direct—

(i) that a Special Magistrate of the First Class, to be designated Railway Magistrate, Jaipur, shall be appointed to take cognizance of, inquire into and try criminal cases arising within all railway limits throughout the whole of Jaipur Division excepting the limits of Dholpur Sub-Division ;

(ii) that the said Railway Magistrate shall have and exercise within the aforesaid territorial limits—

(a) all the powers conferred by the said Code on a Sub-Division Magistrate,

(b) the power to require security for good behaviour under section 108 of the said Code, and

(c) the power under section 260 of the said Code, to try summarily;

(iii) that the head quarters of the said Railway Magistrate shall be at Jaipur;

(iv) that the said Railway Magistrate is authorised to try cases at any other place on the railway and within the limits of his Jurisdiction; and

(v) that Shri Zorawarnal Kavadia be temporarily appointed as such Railway Magistrate.

Published in *Raj. Raj-patra* Dated April 23, 1955 part 1 (a) at page 22 :

[Authorised by his Highness the Rajpramukh.]

Jaipur, March 24, 1955.

No. F. 1 (10) Jud./55.—In exercise of the powers conferred by sections 12 and 14 of the Code of Criminal Procedure, 1898, (hereinafter referred to as 'the Code') and in supersession of Judicial Department Notification No. F. 1 (58) Jud./50, dated the 29th July, 1950 and all other orders and notifications in this behalf, the Government of Rajasthan is pleased to make the following orders:—

1. There shall be appointed Special Magistrates to be designated as Railway Magistrates as follows to exercise jurisdiction over the respective local areas noted against each:—

| Designation | Head-quarters | Local areas |
|------------------------------|---------------|---|
| 1 Railway Magistrate, Jaipur | Jaipur | Railway Police Stations of (1) Jaipur (2) Bandikui (3) Phulera (4) Neemka-Thana (5) Sawai-Madhopur, and (6) Sikar |

- 2 Railway Magistrate, Jodhpur . . . Railway Police Stations of (1) Jodhpur (2) Falana (3) Marwar Junction (4) Merta Road, (5) Balotra (6) Bikaner (7) Ratangarh and (8) Hanu-mangarh.
- 3 Railway Magistrate, Kota . . . Railway Police Stations of (1) Kota, (2) Bhilwara (3) Mavli, (4) Gangapur (5) Bharatpur, and (6) Udaipur.

II. The said Special Magistrates shall, by virtue of their office as Railway Magistrates, have and exercise within their respective local areas the following powers:-

- (1) The ordinary powers of a Magistrate of the First Class;
- (2) Power to require security for good behaviour in cases of sedition--section 108 of the Code;
- (3) Power to require security for good behaviour--section 110 of the Code;
- (4) Power to make orders prohibiting repetition of nuisance--section 141, of the Code;
- (5) Power to make orders under section 144, of the Code;
- (6) Power to issue processes for persons within local jurisdiction who have committed an offence outside the local jurisdiction--section 186, of the Code;
- (7) Power to take cognisance of offence upon complaints--section 190 (1) (a),--of the Code;
- (8) Power to take cognisance of offences upon police reports--section 190 (1) (b), of the Code;
- (9) Power to take cognisance of offences without complaint--section 190 (1) (c), of the Code;
- (10) Power to try summarily--section 260, of the Code;
- (11) Power to sell property alleged or suspected to have been stolen etc. section 524, of the Code;
- (12) Power to try cases under section 124A, I.P.C.

III. The said Special Magistrates shall take cognisance of, inquire into and try, in the exercise of the powers indicated above, all criminal cases arising within the limits of their respective local areas.

IV. The said Special Magistrates are authorised to hear and try cases at any other place on the railway and within the limits of their respective jurisdiction as may be necessary and convenient.

Published in Raj. Raj-patra-Dated November 26, 1955 part I (a) at page 229 :

(Authorised by His Highness the Rajpramukh)

JUDICIAL DEPARTMENT
NOTIFICATIONS

Jaipur, October 11, 1955.

No. F. 1 (10) Jud/55.—In continuation of Judicial Department Notification of even number, dated the 24th March, 1955 and in exercise of the powers conferred by sections 12 and 14 of the Code of Criminal Procedure, 1898 (Central Act V of 1898), the Government of Rajasthan is pleased to appoint all Magistrates of the first class in the State of Rajasthan to be Special Magistrates, designated as Additional Railway Magistrates to take cognizance of, inquire into and try all offences under sections 106 to 125 (both inclusive) of the Indian Railway Act, 1890 (Central Act IX of 1890) committed within the limits of their respective territorial jurisdiction.

The Government of Rajasthan is further pleased to order that the said Special Magistrates shall, by virtue of their office as Additional Railway Magistrates, have and exercise within the local limits of their respective territorial jurisdiction all the powers which are already conferred on them as Magistrates of the first class.

Published in Raj. Raj-patra Dated June 9, 1956 part I (a) at page 82 :

Jaipur, May-18, 1956.

No. F. 1 (22) Jud/56.—In exercise of the powers conferred by section 12 of the Code of Criminal Procedure, 1898, and in continuation of the Judicial Department notification No. F. 1 (10) Jud/55, dated 11th October, 1955 the Government of Rajasthan is pleased to appoint the Special Railway Magistrate, Jaipur in virtue of his office and in addition to his duties to be a Magistrate of the First Class in the whole of the Jaipur District.

Published in Raj. Raj-patra Dated February 7, 1957 part IV (c) at page 805 :

NOTIFICATIONS

Jaipur, January 18, 1957.

No. F. 1 (5) LJ/B/57.—In exercise of the powers conferred by sections 12 and 14 of the Code of Criminal Procedure, 1898 (Central Act V of 1898) the State Government is pleased to make the following orders:—

- (1) The Railway Magistrate, Jaipur, shall also have jurisdiction in respect of both pending and new cases of the Railway Police Station of Ajmer.
- (2) The Railway Magistrate, Jodhpur, shall also have jurisdiction in respect of both pending and new cases of the Railway Police Station of Abu Road.
- (3) In the exercise of the jurisdiction as aforesaid, the Railway Magistrate's Jaipur and Jodhpur, shall have all the powers specified in items II, III and IV of Notification No. F. 1. (10) Jud./55, dated the 24th March, 1955 of the Judicial Department of the pre-reorganisation State of Rajasthan (published in the Rajasthan Gazette, Part I A dated 23 April, 1956)

- (4) All Magistrates of the first class in the Ajmer Area and the Abu Area are appointed also to be Special Magistrates designated as Additional Railway Magistrates for the purposes of offences under sections 106 to 125 of the Indian Railway Act, 1890 (Central Act IX of 1890) committed within the limits of their respective territorial jurisdiction.
- (5) The Additional Railway Magistrates shall have all the powers which are already conferred on them as Magistrates of the first class.

Published in Raj. Raj-patra Dated April 25, 1957 part IV (c) at page 23 :

(Authorised by the Governor)

NOTIFICATION

Jaipur, April 5, 1957.

No. F. 1. (5) LJ/B/57.—In exercise of the powers conferred by Sections 12 and 14 of the Code of Criminal Procedure, 1898 (Central Act V of 1898), the State Government is pleased to direct that in Law and Judicial Department (B) Notification No.F. 1 (5) LJ/B/57, dated the 18th January, 1957,—

- (i) clause (2) shall be deleted,
- (ii) in clause (3) for the words "Railway Magistrates, Jaipur and Jodhpur", the words "Railway Magistrate, Jaipur" shall be substituted, and
- (iii) the words "and the Abu area" appearing in clause (4) shall be deleted.

By Order of the Governor,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

POWERS UNDER SECTION 498 OF CODE OF CRIMINAL PROCEDURE 1898

Published in Raj. Raj-patra Dated December 12, 1953 part II at page 1367 :

OFFICE OF THE DISTRICT AND SESSIONS

JUDGE, JHUNJHUNU

ORDER

Jhunjhunu, December 1, 1953.

No.4113.—In exercise of the powers vested in him by sub-section (4) of section 17 of the Code of Criminal Procedure, 1898, of the Central Legislature as adapted to Rajasthan, the Sessions Judge of Jhunjhunu, is pleased to confer on the Additional Sessions Judge, at Sikar, the powers to grant or cancel bail under section 498 of the said Code within the local limits of his jurisdiction with effect from the 1st day of December, 1953.

MUKUT BEHARI LAL,
*District and Sessions Judge,
Jhunjhunu.*

OFFICE OF THE DISTRICT AND SESSIONS
JUDGE, PALI.
ORDER

Pali, November 30, 1953.

No. 98.—Under the provision of subsection 4 of section 17 of Criminal Procedure Code as adapted to Rajasthan, I, Heera Lall Karanpuria, Session Judge, Pali hereby authorise the Additional Session Judge, Sirohi by virtue of his office to hear urgent applications including bail applications arising out of cases within the local limits of his Jurisdiction.

HEERA LALL KARANPURIYA,
Sessions Judge. Pali, (Rajasthan).

Published in Raj. Raj-patra Dated December 26, 1953 part II at page 1456 :

OFFICE OF THE DISTRICT AND SESSIONS
JUDGE, JAIPUR CITY
ORDER.

Jaipur, December 16, 1953.

No. 6390.—In exercise of the powers vested in me under section 17 clause (4) of the Code of Criminal Procedure Code, I, Anand Narain Kaul, Sessions Judge, Jaipur City, hereby empower the Additional Sessions Judge at Tonk to dispose of applications under section 497 clause (5) and under section 498 of the said Code in cases arising within the local limits of his Jurisdiction.

ANAND NARAIN KAUL,
Sessions Judge, Jaipur City.

Published in Raj. Raj-patra Dated January 16, 1954 part II at page 1536 :

OFFICE OF THE DISTRICT AND SESSION
JUDGE, BIKANER
ORDER

Bikaner, December 21, 1953.

No. 192.—Under the provision of subsection 4 of section 17 of Criminal Procedure Code as adapted to Rajasthan I, M. C. Bhandari, Sessions Judge, Bikaner hereby authorise the Additional Session Judge, Churu by virtue of his office to hear urgent applications including bail applications under section 498 Cr. Pro. Code arising out of cases within the local limits of his jurisdiction.

M. C. BHANDARI,
Sessions Judge Bikaner, Rajasthan.

Published in Raj. Raj-patra Dated January 23, 1954 part II at page 1588 :

IN THE COURT OF DISTRICT AND SESSIONS
JUDGE, BHARATPUR.
ORDER.

Bharatpur, January 6, 1954.

No. 152-53/D. J.—In the exercise of the powers vested in me under section 17 (clause 4) of the Criminal Procedure Code I hereby empower the Additional Sessions Judge, Dholpur/Gangapur to dispose of applications under section 497 (clause 5) and under section

498 of the said Code in the cases arising out of the local limits of his jurisdiction.

BIRENDRA PRASAD GARGH,
District and Sessions Judge, Bharatpur.

Published in Raj. Raj-patra Dated January 30, 1954 part II at page 1613 :

OFFICE OF THE DISTRICT AND SESSIONS JUDGE, JAIPUR
DISTRICT, JAIPUR.

ORDER.

Jaipur, January 16, 1954.

No. 81/Local.—In exercise of the powers vested in me under section 17 Cl. (4) of the Code of Criminal Procedure, I, Sumair-nath Gurtu, Sessions Judge, Jaipur District, hereby empower the Additional Sessions Judge at Kishangarh to dispose of bail applications under section 497 Cl. (5) and under section 498 of the said Code in cases arising within the local limits of his jurisdiction.

SUMAIR NATH GURTU,
Sessions Judge, Jaipur District, Jaipur.

Published in Raj. Raj-patra Dated February 13, 1954 part II at page 1688 :

IN THE COURT OF DISTRICT AND SESSIONS JUDGE, MERTA.
ORDER

Merta, January 30, 1954.

No. 8/Jud.—In exercise of the powers vested in me under section 17 (Clause 4) of the Criminal Procedure Code, I hereby empower the Assistant Sessions Judge, Nagaur to dispose of applications under section 498 of the said Code in the cases arising out of the local limits of his jurisdiction.

ZAFAR MOHAMMED KHAN,
District and Sessions Judge, Merta.

Published in Raj. Raj-patra Dated May 19, 1956 part II (a) at page 49

OFFICE OF THE SESSIONS JUDGE, BALOTRA
ORDER

Balotra, April 27, 1956.

No. 1123.—In exercise of the powers vested in me by subsection 4 of section 17 of the Code of Criminal Procedure Code 1898 I hereby empower the Additional Sessions Judge at Jalore the power to dispose of urgent applications including bail applications under section 498 of the said Code arising within the local limits of his jurisdiction.

SOHAN LAL,
Sessions Judge, Balotra.

MUNSIFF MAGISTRATES

In exercise of the powers conferred by section 12 of the Code of Criminal Procedure, 1898, the Government of Rajasthan have appointed different Munsiffs in Rajasthan, by virtue of their office and in addition to their own duties, to be Magistrates of the First Class for the local area. Comprised in the territorial limits of their Civil jurisdiction as Munsiffs. The Government of Rajasthan have further in exercise of the power conferred by section 37 read with 39 of the Code invested such Magistrates-cum-Munsiffs with the additional power to take cognizance of offences under clauses (a), (b) and (c) of sub-section (1) of section 190 of the said Code. The Government have also conferred on certain Munsiff Magistrates all the additional powers mentioned in the IVth schedule to the said Code with which a Magistrate of the First class can be invested. The appointments so made and powers so invested through notifications from time to time are tabulated as under:—

| S.No. | Munsiff at | Notification No. | Date | Gazette Reference | Date | w. & f. | Remarks. |
|-------|------------------------------|--|--------------------|-------------------|--------------------------------------|---------|----------|
| 1. | Bhawani Mandi | (i) F.1. (77) Jud/52 (i) of 14-11-52 | Part 1 of 22-11-52 | —do— | For appointment | | |
| | | (ii) F.1. (77) Jud/52 (ii) of 14-11-52 | —do— | —do— | For additional power. | | |
| 2. | Sawai Madhopur. | (i) F.1. (77) Jud/52 (iii) of 14-11-52 | —do— | —do— | For appointment | | |
| | | (ii) F.1. (77) Jud/52 (iv) of 14-11-52 | —do— | —do— | For additional power. | | |
| 3. | Kanore. | (i) F.1. (77) Jud/52 (v) of 14-11-52 | —do— | —do— | For appointment | | |
| | | (ii) F.1. (77) Jud/52 (vi) of 14-11-52 | —do— | —do— | For additional power. | | |
| 4. | Mavli. | (i) F.1. (77) Jud/52 (vii) of 14-11-52 | —do— | —do— | For appointment | | |
| | | (ii) F.1. (77) Jud/52 (viii) of 14-11-52 | —do— | —do— | For additional power. | | |
| 5. | Malpura. | F.1. (29) Jud/53 (iv) of 7-7-53 | Part 1 of 11-7-53 | —do— | For appointment and additional power | 1-8-53 | |
| | Hindaun | —do— | —do— | —do— | —do— | —do— | |
| | Gangapur (Sawai Madhopur) | —do— | —do— | —do— | —do— | —do— | |
| | Nathdwara | —do— | —do— | —do— | —do— | —do— | |
| | Chhotisadri | —do— | —do— | —do— | —do— | —do— | |
| | Kushalgarh | —do— | —do— | —do— | —do— | —do— | |
| | Gangapur (Bhilwara District) | —do— | —do— | —do— | —do— | —do— | |
| | Sirohi. | —do— | —do— | —do— | —do— | —do— | |

| | | | | |
|-----------------|---|----------------------------------|---------|--|
| 6. Sadulgarh. | F.1. (29) Jud/53 (I) of 26-8-53 | Part I of 5-9-53 | 1-9-53 | For appointment and additional power within local area defined by the District Magistrate |
| 7. Sagwara. | —do— | —do— | —do— | —do— |
| 8. Aklera. | F.1. (29) Jud/53 (II) of 26-8-53 | —do— | —do— | —do— |
| 9. Shahpura. | F.1. (58) Jud/53 (II) of 15-9-53 | Vol. 5. No. 85 Part I of 15-9-53 | 18-9-53 | For appointment and additional power. The additional power shall be exercised within the local limits police station shahpura and police out-post Bairath vide Notification No. F. I. (58) Jud/53 (II) dated 5-2-54 published in Part I dated 20-2-54. |
| 10. Banswara. | F.1. (31) Jud/54 dated 31/3/55 | Part I (A) of 16/4/55. | — | For appointment and additional power with respect to police station Loharia, Pipal khunth, khamera and Kalinjera. |
| 11. Nimbahera. | F.1. (29) Jud/53 (II) of 11/4/55 | Part I (A) of 23/4/55 | 1-5-55 | For appointment and additional power with respect to civil jurisdiction |
| 12. Lachmangarh | F.1. (51) Jud/54 of 11/4/55 | Part I (A) of 23/4/55 | — | —Do— |
| 13. Bryana. | F.1. (62) Jud/54 II of 21/5/55. | Part I (A) of 11/6/55 | 1-7-55 | —Do— |
| 14. Deeg | —Do— | —Do— | —Do— | —Do— |
| 15. Salumber | F.1. (64) Jud/54/B./1005/II of 27/10/56 | Part I (A) of 8/11/56 | 1-11-56 | —Do— |
| 16. Abu Road. | 1703/F.1. (46) L.J. (B)/56-I of 31/1/57 | Part IV (C) of 31/1/57 | 1-2-57 | For appointment and additional power within Abu Road Tehsil. Shall have all the additional powers mentioned in the fourth schedule of the Criminal Procedure Code. |
| 17. Kotputli | 796/F.1. (30) Jud/56 of 1/3/57 | Part IV (C) of 28/3/57. | 15-3-57 | For appointment and additional power with respect to civil jurisdiction |
| 18. Nasirabad | D. 1481/F.1. (75) L.J./B/56 (II) of 25/4/58 | Part IV (C) of 29/5/58. | 30-6-58 | For appointment and additional power with respect to civil jurisdiction. Shall have all the additional powers mentioned in the IVth Schedule of the Code of Criminal Procedure. |

| | | | | | |
|-----------------|-------------------|---------------------|-------------------------|---------|------|
| 20. Phalodi | D. 2214/F.1. (55) | Ld./B/55 of 12/6/58 | Part IV (C) of 31/7/58. | 1-8-58 | -Do- |
| Bhadra. | -Do- | -Do- | -Do- | -Do- | -Do- |
| Bilara. | -Do- | -Do- | -Do- | -Do- | -Do- |
| Bhim | -Do- | -Do- | -Do- | -Do- | -Do- |
| Sirohi | -Do- | -Do- | -Do- | -Do- | -Do- |
| Bundi. | -Do- | -Do- | -Do- | -Do- | -Do- |
| 21. Thana-Gazi. | D. 3310/F.1. (23) | L.J./B/58 of 5/9/58 | Part IV (C) of 18/9/58 | 1-10-58 | -Do- |
| Nawa. | -Do- | -Do- | -Do- | -Do- | -Do- |
| Jodhpur | -Do- | -Do- | -Do- | -Do- | -Do- |
| District. | -Do- | -Do- | -Do- | -Do- | -Do- |
| Didwana | -Do- | -Do- | -Do- | -Do- | -Do- |
| Desuri | -Do- | -Do- | -Do- | -Do- | -Do- |
| Rajsaund | -Do- | -Do- | -Do- | -Do- | -Do- |
| Kapasin | -Do- | -Do- | -Do- | -Do- | -Do- |

EXTRA MAGISTRATES

Published in Raj. Raj-patra Vol. 2 No. 30 Dated July 1, 1950 part I :
GOVERNMENT OF RAJASTHAN JUDICIAL DEPARTMENT.
NOTIFICATIONS.

Jaipur, June 27, 1950.

No. F-1 (52) Jud./50.—In pursuance of section 12 of the Code of Criminal Procedure, 1898, as adapted to Rajasthan, the Government of Rajasthan is pleased to create the following Courts of Extra Magistrates with effect from May 25, 1950, in addition to those already existing. The Magistrates shall exercise jurisdiction in the areas noted against each in juxtaposition:—

| S.No. | Name of Court. | Headquarters. | Jurisdiction. |
|-------|------------------------------|---------------------|-----------------------------------|
| 1. | Extra Magistrate First Class | Jhunjhunu | District Jhunjhunu. |
| 2. | Extra Magistrate First Class | Rajgarh | Rajgarh Sub-division. |
| 3. | Extra Magistrate First Class | Hindaun | Hindaun & Gangapur Sub-divisions. |
| 4. | Extra Magistrate First Class | Bandikui | Bandikui & Sikrai Tehsils. ; ; ; |
| 5. | Extra Magistrate First Class | Kishangarh (Tijara) | Tijara Sub-division. |

Jaipur District.
 Uniara Thikana & Aligarh Tehsil.
 Fatehpur & Ramgarh Tehsils.
 Alwar Tehsil.
 Bari & Baseri Tehsils.

Jodhpur City.
 Bhinnal Sub-division.
 Bali & Desuri Tehsils.

Kishanganj & Shahabad Tehsils.
 Pirawa Tehsil.
 Patan Tehsil.
 Itawah & Pipalda Tehsils.

Mavli & Bhopalsagar Tehsils.
 Kotra Tehsil.

Saira Tehsil.
 Lasadia Tehsil & Kanod & Bhinder
 sub-Tehsils of Vallabhnagar
 (Unthala) Tehsil.

Salumber Tehsil.
 Chhoti Sadri & Badi Sadri Tehsils.
 Saheda, Karera and Raipur Tehsils.

Bhilwara District.
 Jehazpur Tehil.

Jaipur
 Uniara
 Fatehpur
 Alwar
 Dholpur
JODHPUR DIVISION.

Jodhpur
 Bhinnal
 Bali
KOTAH DIVISION.

Baran
 Pirawa
 Patan
 Itawah

UDAIPUR DIVISION.

Mavli
 Kotra
 Gogunda
 Kanod

Salumber
 Chhoti Sadri
 Gangapur
 (Bhilwara Dist.)
 Bhilwara
 Jehazpur

6. Extra Magistrate First Class
 7. Extra Magistrate First Class
 8. Extra Magistrate First Class
 9. Extra Magistrate First Class
 10. Extra Magistrate First Class

11. Extra Magistrate First Class
 12. Extra Magistrate First Class
 13. Extra Magistrate First Class

14. Extra Magistrate First Class
 15. Extra Magistrate First Class
 16. Extra Magistrate First Class
 17. Extra Magistrate First Class

18. Extra Magistrate First Class
 19. Extra Magistrate First Class
 20. Extra Magistrate First Class
 21. Extra Magistrate First Class

22. Extra Magistrate First Class
 23. Extra Magistrate First Class
 24. Extra Magistrate First Class

25. Extra Magistrate First Class
 26. Extra Magistrate Second Class

The above Notification has Subsequently been modified as

| S. No. | Item No. of above | Notification | | Gazette | | w.e.f. | Changes effected. |
|--------|----------------------|--------------------------|-----------|----------------|--------------------|----------|--|
| | | No. | date | No. | date | | |
| 1 | 17 | F-1. (52) Jud/50 of | 15-7-50. | Vol. 2 No. 36 | Part I of 15-7-50. | 1-8-50. | The Head Quarters shall be at Indergarh instead of at Itawa. |
| 1(A) | 17 | F-1. (17) Jud/54 of | 5-4-54. | Part I (A) of | 8-5-54. | — | Shall be abolished |
| 2 | 20 | F-1. (52) Jud/50 of | 26-9-50 | Vol. 2. No. 62 | Part I of 27-9-50. | 3-10-50 | Shall be abolished and instead new Court at Rajasamand shall be created with jurisdiction over entire Rajasamand Sub-Division. |
| 3 | 8 | F-1. (52) Jud/50 of | 29-9-50. | Vol. 2 No. 64 | Part I of 30-9-50. | 16-10-50 | Shall be abolished |
| 4 | 1 | —Do— | — | —Do— | — | —Do— | Jurisdiction shall extend over Jhununu Sub-Division only. |
| 5 | 26 | F-1. (60) Jud/50 (II) of | 11-12-50 | — | — | — | Invested with powers of a Magistrate of First Class. |
| 6 | 14 | F-1. (15) Jud/51 of | 16-6-51. | Vol. 3 No. 58 | Part I of 23-6-51. | — | Jurisdiction shall extend to whole of Baran Sub-Division. |
| 7 | 2 | F-1. (52) Jud/50 of | 1-8-51. | Vol. 3 No. 75 | Part of 11-8-51. | — | Jurisdiction of all shall extend over whole of the Alwar District. |
| 8 | 9 | —Do— | — | —Do— | — | — | } Shall be abolished and instead new Court at Deeg (Bharatpur District) with jurisdiction over whole of the Deeg Sub-Division shall be created. |
| 9 | 5 | —Do— | — | —Do— | — | — | |
| 10 | 10 | F-1. (52) Jud/50 of | 22-8-51. | Vol. 3 No. 82 | Part I of 1-9-51. | — | |
| 11 | 2 | F-1. (52) Jud/50 of | 21-11-51. | Vol. 3 No. 121 | Part I of 1/12/51 | 3-12-51. | Shall be abolished and instead new Court at Deeg (Bharatpur District) with jurisdiction over whole of the Deeg Sub-Division shall be created. Shall be re-designated as the Court of Second Extra Magistrate, First Class, Alwar and its Headquarters shall be at Alwar. |

The following new Courts of Ext. Magistrate have subsequently been created.

| S.No. | Name of court | Headquarter | Jurisdiction | Notification | Gazette | v. e. f. | R e m a r k s. |
|-------|--------------------------------------|-------------|---|------------------------------|-----------------------------------|----------|--|
| 1. | Ext. Magistrate First Class | Sikar | Sikar Sub-Division | F-1. (52) Jud/50 of 29/9, 50 | Vol. 2. No. 64. Part I of 30-9-50 | 16/10/50 | } City Magistrate of Sikar and Jhununu shall be abolished. |
| 2. | Ext. Magistrate First Class. | Chirawa. | Police Stations of Chirawa, Narhar and Surajgarh. | F-1. (52) Jud/50 | Vol. 3. No. 101. of 20/10/51 | | |
| 3. | Second Extra Magistrate First Class. | Uaipur. | Udaipur District | F-1. (52) Jud/50 | Vol. 3. No. 101. of 20/10/51 | | Special Magistrate, Udaipur shall be abolished. |

ADDITIONAL DISTRICT MAGISTRATES

Published in Raj Raj-patra Dated February 7, 1957 part I (a) at page 311

(Authorised by the Governor)
NOTIFICATION.

Jaipur, January 23, 1957.

No. F. 1 (10) LJ/B/57/183.—In pursuance of Sub-Section (2) of section 10 of the Code of Criminal Procedure, 1898, (hereinafter referred to as 'the Code') read with section 39 thereof, the Government of Rajasthan hereby:—

(a) Appoints all Additional Collectors, in virtue of their office, as Additional District Magistrates, within the territorial limits of their respective Revenue Jurisdiction, and

(b) directs that they shall have to following powers of a District Magistrate under the said Code, namely:—

1. The ordinary powers of a Sub-Divisional Magistrate.
2. Power to try juvenile offenders, Section 29 B of the Code.
3. Power to require security for good behaviour in case of sedition, section 108 of the Code.
4. Power to discharge persons bound to keep the peace or to be of good behaviour, section 124 of the Code.
5. Power to cancel bond for keeping the peace, section 125 of the Code.
6. Power to try summarily, section 260 of the Code.
7. Power to hear appeals from orders requiring security for (keeping the peace of) good behaviour, section 406 of the Code.
8. Power to hear appeals from orders of Magistrates refusing to accept or rejecting sureties, section 406 A of the Code.
9. Power to call for records, section 435 of the Code.
10. Power to order inquiry into Complaint dismissed or case of accused discharged, section 436 of the Code.
11. Power to order commitment, section 437 of the Code.
12. Power to report case to High Court, section 438 of the Code.
13. Power to hear appeals from or revise orders passed under section 514 and 515 of the Code.
14. Power to compel restoration of abducted females, section 552 of the Code.

Commentary

The subsequent Notification No. F.1/ (10) L.J./B/57/183 dated 14/2/57 published in Rajasthan Raj-patra part I (A) dated 28/2/57 provides that, item No. 7 in the above notification reading, "Power to hear appeals from orders requiring security for (keeping the peace or) good behaviour—Section 406 of the Code" shall be omitted and remaining items be renumbered accordingly.

Published in Raj. Raj-patra Dated May 2, 1957 part IV (c) at page 33 :

Jaipur, April 10, 1957.

No. F. 12 (29) HD/56/16882.—In exercise of the powers conferred by sub-section (2) of section 10 of the Code of Criminal Procedure, 1898, the State Government is pleased to direct that all the powers of a District Magistrate under the follow

ing Acts shall also be exercisable by an Additional District Magistrate within the District in which he is posted, namely:—

1. The Rajasthan Cinemas Regulation Act, 1952 (Rajasthan Act XXX of 1952) in force in the area of the pre-Reorganisation State of Rajasthan.
2. The Cinematograph Act, 1952 (Central Act XXXVII of 1952) in force in the Ajmer area.
3. The Bombay Cinemas Regulation Act, 1953 (Bombay Act XI of 1953) in force in the Abu area.
4. The Madhya Bharat Cinemas Regulation Act, 1953 (Madhya Bharat Act 15 of 1953) in force in the Sunel area.

By order of the Governor.
SAMPAT MAL BHANDARI,
Secretary to the Government

CRIMINAL LAW AMENDMENTS

Published in Raj. Raj-patra Vol. 4 No. 97 Dated 6-9-52 at page 513 :

Jaipur, August 26, 1952

No. F. 2 (9) Jud./52.—In exercise of the power conferred by section 6 of the Criminal Law (Amendment) Act, 1952, (No. XLVI of 1952), the Government of Rajasthan is pleased to appoint all the Sessions Judges and Additional Sessions Judges in Rajasthan, in virtue of their office, to be Special Judges within their respective jurisdiction for the purpose of the said Act.

Published in Raj. Raj-patra Dated December 24, 1955 part I (a) at page 256 :

NOTIFICATIONS.

Jaipur, November 18, 1955.

No. F. (2) 9 Jud./52.—In exercise of the powers conferred by Section 6 of the Criminal Law (Amendment) Act, 1952 (Central Act XLVI of 1952) and in partial of Judicial Department Notification No. F. 2 (9) Jud. /52, dated the 26th August, 1952, the Government of Rajasthan is pleased to appoint the Sessions Judge, Jaipur City to be Special Judge also for the trial of all cases investigated by the Delhi Special Police Establishment involving offences punishable under section 161 or 165 or 165A of the Indian Penal Code or section 5 (2) of the Prevention of Corruption Act, 1947 (Central Act, II of 1947) with jurisdiction over the whole of the State of Rajasthan.

Published in Raj. Raj-patra Dated June 12, 1958 part IV (c) at page 414 :

LAW AND JUDICIAL (B) DEPARTMENT

NOTIFICATION

Jaipur, February 26, 1958,

No. D. 386/F. 3 (2) L.J. (B)/58.—In pursuance of section 6 of the Criminal Law (Amendment) Act, 1952, (Central Act No. XLVI of 1952) read with section 7 (2) of the said Act and in supersession

of previous notifications in this behalf, the State Government hereby

- (i) appoints the Sessions Judges, Additional Sessions Judges and Assistant Sessions Judges specified in column 2 of the sub-joined schedule, by virtue of their office to be Special Judges to exercise jurisdiction respectively, in the area mentioned against each in Column 4 thereof in respect of the cases other than those investigated by the Delhi Special Police Establishment.
- (ii) appoints the Sessions Judge, Jaipur City, to be Special Judge with jurisdiction over the whole of the State of Rajasthan for the trial of cases investigated by the Delhi Special Police Establishment.

THE SCHEDULE

| Serial number | Name of Court | Head-quarters | Area of jurisdiction as Special Judge |
|-------------------------|---------------------------------------|---------------|--|
| 1 | 2 | 3 | 4 |
| BIKANER DIVISION | | | |
| (1) | Sessions Judge, Bikaner | Bikaner | Bikaner District. |
| (2) | Sessions Judge, Ganganagar | Ganganagar | Ganganagar District |
| (3) | Additional Sessions Judge Churu | Churu | Churu District. |
| AJMER DIVISION | | | |
| (4) | Sessions Judge, Jaipur City | Jaipur | Jaipur City (Municipal Limits). |
| (5) | Sessions Judge, Jaipur District | Jaipur | Jaipur District (excluding Municipal limits of Jaipur city). |
| (6) | Sessions Judge, Ajmer | Ajmer | Ajmer District (excluding Kishangarh Sub-division). |
| (7) | Sessions Judge, Bharatpur | Bharatpur | Bharatpur District (excluding Dholpur Sub-division.) |
| (8) | Sessions Judge, Jhunjhuna | Jhunjhuna | Jhunjhuna District. |
| (9) | Sessions Judge, Alwar | Alwar | Alwar District. |
| (10) | Additional Sessions Judge, Tonk | Tonk | Tonk District. |
| (11) | Additional Sessions Judge, Kishangarh | Kishangarh | Kishangarh Sub-division of Ajmer District. |
| (12) | Additional Sessions Judge, Dholpur | Dholpur | Dholpur Sub-Division of Bharatpur District. |

- | | | | |
|------|-------------------------------------|----------|--------------------------|
| (13) | Additional Sessions Judge, Gangapur | Gangapur | Sawai Madhopur District. |
| (14) | Additional Sessions Judge, Sikar | Sikar | Sikar District. |

JODHPUR DIVISION

- | | | | |
|------|-------------------------------------|-----------|---------------------|
| (15) | Sessions Judge, Jodhpur | Jodhpur | Jodhpur District. |
| (16) | Sessions Judge, Merta | Merta | Nagore District. |
| (17) | Sessions Judge, Balotra | Balotra | Barmer District. |
| (18) | Sessions Judge, Pali | Pali | Pali District. |
| (19) | Additional Sessions Judge, Jalore | Jalore | Jalore District. |
| (20) | Additional Sessions Judge, Sirohi | Sirohi | Sirohi District. |
| (21) | Assistant Sessions Judge, Jaisalmer | Jaisalmer | Jaisalmer District. |

KOTA DIVISION

- | | | | |
|------|-------------------------------------|----------|--|
| (22) | Sessions Judge, Kota | Kota | Kota and Chechat Sub-division of Kota District. |
| (23) | Additional Sessions Judge, Baran | Baran | Baran and Chabra Sub-divisions of Kota District. |
| (24) | Additional Sessions Judge, Bundi | Bundi | Bundi District. |
| (25) | Additional Sessions Judge, Jhalawar | Jhalawar | Jhalawar District. |

UDAIPUR DIVISION

- | | | | |
|------|-------------------------------------|------------|----------------------|
| (26) | Sessions Judge, Udaipur | Udaipur | Udaipur District. |
| (27) | Sessions Judge, Pratapgarh | Pratapgarh | Chittorgarh District |
| (28) | Sessions Judge, Bhilwara | Bhilwara | Bhilwara District |
| (29) | Additional Sessions Judge, Banswara | Banswara | Banswara District |
| (30) | Assistant Sessions Judge, Dungarpur | Dungarpur | Dungarpur District. |

By Order of the Governor
 PRABHU DAYAL LOIWAL,
Secretary to the Government.

Published in Raj. Raj-patra Dated December 18, 1954 part I (b) at page 596 :

HOME DEPARTMENT III

NOTIFICATION

Jaipur, December 9, 1954.

Subject:—Enforcement of the Criminal Law Amendment Act, 1938.

No. D. 5023-Home-III/54.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Criminal Law Amendment Act, 1938, (Act No. XX of 1938) of the Central Legislature, which has been extended to Rajasthan by the Part B States Laws Act, 1951 (No III of 1951) of Parliament, the Government of Rajasthan is hereby pleased to order that the said Act shall come into force in Rajasthan on the date of publication of this Notification in the Rajasthan Gazette.

By Order of

His Highness the Rajapramukh,
B. G. RAO,

Chief Secretary to the Government.

Published in Raj. Raj-patra Vol 3 No. 651 Dated 7-7-51 part I at page 374 :

Judicial Department.

NOTIFICATIONS.

Jaipur, June 23, 1951.

No. F. 1 (1) Jud./50.—In exercise of powers conferred by section 3 of the Rajasthan Special Criminal Courts Ordinance, 1949, the Government of Rajasthan is pleased to abolish the Special Criminal Court constituted under the Judicial Department Notification No.F.1 (1) Jud./50, dated January 3, 1950, published in the Rajasthan Gazette (Extraordinary), dated January 3, 1950.

ANTI CORRUPTION.

Published in Raj. Raj-patra Dated July 15, 1957 part IV (c) at page 49 :

HOME DEPARTMENT [A]

NOTIFICATION

Jaipur, July 15, 1957.

No. F. 14/1/4/HA/57.—In exercise of the powers conferred by clause (s) of Section 4 of the Code of Criminal Procedure 1898, and all other powers enabling in this behalf the State Government is pleased—

(1) to declare the office of the Special Inspector General of Police, Anti-Corruption, Rajasthan at Jaipur to be a Police Station, which will be known as the Anti-Corruption Police Station and whose territorial jurisdiction shall extend over the whole of the area of the State of Rajasthan; and

(2) to direct that the aforesaid Police Station shall deal with all cognizable offences relating to bribery and corruption including criminal breach of trust, criminal misappropriation and criminal misconduct, in which a public servant is also involved.

Jaipur, July 15, 1957.

No. F. 14/1/HA/57.—In pursuance of clause (P) of Section 4 read with Sections 156 and 551 of the Code of Criminal Procedure, 1898 and all other powers enabling in this behalf, the State Government is pleased to direct that the powers of an Officer-in-Charge of a Police Station shall be exercisable by all Officers of and above the rank of a Sub-Inspector of Police in the Anti-Corruption Branch of the Rajasthan Police Force with respect to the Anti-Corruption Police Station as notified under Home Department (A) Notification No. F. 14/1/4/HA/57 dated the 15th July, 1957.

By Order of the Governor,
DURGA PRASAD SHARMA,
Deputy Secretary to the Government.

SESSIONS JUDGES, ADDITIONAL SESSIONS JUDGES AND ASSISTANT SESSIONS JUDGES.

*Published in Raj. Raj-patra Vol.2 No.26 Dated June 14, 1950 part I at page 182 :
Jaipur, June 2, 1950.*

No. F-1 (42)-Jud./50.—In exercise of the powers conferred by Sections 7 and 9 of the Code of Criminal Procedure, 1898 of the Central Legislature as adapted to Rajasthan, the Government of Rajasthan is pleased to direct that with effect from the 1st day of July, 1950, for the purposes of the said Code the State of Rajasthan shall consist of twelve Sessions Divisions with the territorial limits of each as specified in column 1 of the following table and that the Court of Session for each such division shall ordinarily sit at the place specified opposite it in column 2 thereof, namely :—

| <i>Limits of Sessions Divisions.</i> | <i>Place of sitting of court of Session.</i> |
|---|--|
| 1. Bikaner and Churu Districts. | Bikaner. |
| 2. Ganganagar District. | Ganganagar. |
| 3. Jaipur and Tonk Districts. | Jaipur |
| 4. Bharatpur and Sawai Madhopur Districts. | Bharatpur. |
| 5. Alwar District. ... | Alwar. |
| 6. Sikar and Jhunjhunu Districts. ... | Sikar. |
| 7. Jodhpur, Jaisalmer, Nagaur Barmer and Jalore Districts. | Jodhpur. |
| 8. Pali and Sirohi Districts. | Pali. |
| 9. Kotah Division. .. | Kotah. |
| 10. Udaipur and Dungarpur Districts. ... | Udaipur. |
| 11. Chittorgarh and Banswara Districts. ... | Parthargarh. |
| 12. Bhilwara District. | Bhilwara. |

Note :— The expressions “division” and “district” in this table refer to the divisions and districts as formed under the Rajasthan Territorial Divisions Ordinance, 1949.

The above Notification has subsequently been modified as under:—

(1) Notification No. F. 1. (42) Jud/50 dated 9/3/51 published in Rajasthan Raj-patra Vol. 2 No. 145 Part I dated 9/3/51 :—

With effect From 12th March, 1951 there shall be two Courts of Sessions Judge at Jaipur instead of one, resulting in 13 Sessions Divisions. The resultant two Sessions Divisions shall be as under:—

(i) Jaipur City (municipal limits and Tonk District Sessions Judge, Jaipur City.)

(ii) Jaipur District except the municipal limits of Jaipur City—Sessions Judge, Jaipur City.

(2) Notification No. F. 1. (42) Jud/50 dated 4/7/51 published in Rajasthan Raj-patra vol 3 No. 70 dated 21/7/51 :—

The limits of item No 7 above shall be reallocated in 3 Sessions Divisions as under (resulting in 13 Sessions Divisions) with immediate effect :—

(i) Court of Sessions for Districts of Jodhpur and Jaisalmer at Jodhpur.

(ii) Court of Sessions for Nagaur District at Merta.

(iii) Court of Sessions for Barmer and Jalore Districts at Balotra.

(3) Notification of even number dated 8/9/51 published in Rajasthan Raj-patra vol. 3 No. 90 dated 22/9/51 :-

Item No. 6 above shall be revised as separate Court of Sessions for Jhunjhunu District at Jhunjhunu w. e. f. 3/10/1951. This will result in 16 Sessions Divisions instead of 15.

(4) Notification No. F. 1. (103) Jud/53 (II) dated 18/12/52 published in Rajasthan Raj-patra Part I dated 27/12/52 :-

The Court of Sessions Judge at Sikar (item No. 6) shall be abolished and the jurisdiction of Sessions Judge, Jhunjhunu shall extend over Sikar District also w. e. f. 2-1-53. This will result in 5 Sessions Division instead of 16.

*Published in Raj. Raj-patra Dated November 22, 1956 part I (a) at page 223 :
Jaipur, November 14, 1956.*

No. F. 1 (59) LJ/B/56/1137 (I).—In pursuance of sections 7 and 8 of the Code of Criminal Procedure, 1898 (No. V of 1898), the State Government hereby directs that with effect from the 1st of December, 1956 the area of Kishangarh Sub-Division shall be excluded from the jurisdiction of the Sessions Division of Jaipur and included in the Sessions Division of Ajmer.

Published in Raj. Raj-patra Dated June 12, 1958 part IV (c) at page 431 :

(Authorised by the Governor)

LAW AND JUDICIAL DEPARTMENT (B)

NOTIFICATION

Jaipur, May 23, 1958.

No. F. 1 (75) LJ/B/56. Part II (II).—In pursuance of sections 7 and 8 of the Code of Criminal Procedure, 1898 (No. V of 1898) the State Government hereby directs that with effect from the 30th June, 1958—

(1) the areas noted in the margin shall be excluded from Ajmer

| |
|--------------------|
| Deoli Town. |
| Deoli Village. |
| Boreda Village. |
| Deopura Village. |
| Inderpura |
| (Khajpura) Village |

District of the Sessions, Division of Ajmer and included in Tonk District of the Sessions Division of Jaipur City and Tonk, and

(2) the said areas shall form part of Tonk Sub-Division of Tonk District.

By Order of the Governor,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

*Published in Raj. Raj-patra Vol.2 No.26 Dated June 14, 1950 part I at page 183 :
Jaipur, June 2, 1950.*

No. F-1(43) Jud/50.—In exercise of the power conferred by Sub-section (3) of Section 9 of the Code of Criminal Procedure, 1898 of the Central Legislature as adapted to Rajasthan, the Government of Rajasthan is pleased to order that with effect from the 1st day of July, 1950, one Additional Sessions Judge shall be appointed to exercise jurisdiction in the Court of Session at Jaipur and that two Additional Sessions Judges shall be appointed to exercise jurisdiction in the Court of Session at Jodhpur.

The above notification has subsequently been modified as under

(1) Notification No. F.1 (43) Jud/50. B. dated 27/6/1950 published in Rajasthan Raj-patra Vol. 2, No. 30. Part I dated 1/7/50:—

Two Additional Sessions Judges at Jaipur and Udaipur have been appointed w. e. f. 1/7/50.

(2) Notification No. F.1 (43) Jud/50 dated 9/3/51 published in Rajasthan Raj-patra Vol. 2 No. 145 Part I dated 9/3/51:—

The additional Sessions Judge, Jaipur appointed vide parent Notification shall exercise jurisdiction in the Sessions Division of Jaipur City and Jaipur District w. e. f. 12/3/51.

(3) Notification No. F.1 (42) Jud/50 dated 4/7/51 published in Rajasthan Raj-Patra Vol. 3 No. 70 dated 21/7/51:—

Two Additional Sessions Judges at Jodhpur vide parent Notification shall cease to function with immediate effect.

(4) Notification F. 1 (5) Jud/(ii)/53 dated 20/1/53 published in Raj. Raj-patra Part I dated 7/2/53:—

The Additional Sessions Judge, Jaipur shall exercise jurisdiction in Sessions Division Jaipur City only (Notification No. 2)

Published in Raj. Raj-patra Vol.2 No.26 Dated June 14, 1950 part I, at page 187 ;

Jaipur, June, 2, 1950.

No. F-1 (47) Jud./50.—In exercise of the powers conferred by Section 9 of the Code of Criminal Procedure, 1898, of the Central Legislature as adapted to Rajasthan the Government of Rajasthan is pleased to appoint with effect from the 1st day of July, 1950, the following Civil Judges in virtue of their office to be Additional Sessions Judges to exercise jurisdiction in the Courts of Session mentioned in column 2 opposite their names in respect of areas specified in column 3 and to sit for the purpose ordinarily at the places named in column 4:—

| <i>Civil Judge.</i> | <i>Court of Session Wherein to exercise jurisdiction.</i> | <i>Area over Which to exercise sub- jurisdiction.</i> | <i>Place of Sitting.</i> |
|-------------------------------|---|---|------------------------------|
| 1 Civil Judge, Churu. | Court of Session for Bikaner and Churu Districts. | Churu District. | Churu. |
| 2 Civil Judge, Kishangarh. | Court of Session for Jaipur and Tonk Districts. | Kishangarh Sub-division. | Kishangarh. |
| 3 Civil Judge, Tonk. | —do— | Tonk sub-Division. | Tonk. |
| 4 Civil Judge, Gangapur. | Court of Session for Bharatpur and Sawai Madhopur Districts. | Sawai Madhopur District. | Gangapur. |
| 5 Civil Judge, Dholpur. | —do— | Dholpur Sub-Division. | Dholpur. |
| 6 Civil Judge, Jhunjhunu. | Court of Session for Sikar and Jhunjhunu Districts | Jhunjhunu District | Jhunjhunu. |
| 7 Civil Judge, Jaisalmer. | Court of Session for Jodhpur, Jaisalmer, Nagaur, Barmer and Jalore Districts. | Jaisalmer District. | Jaisalmer. |
| 8 Civil Judge, Merta. | —do— | Nagaur District. | Merta. |
| 9 Civil Judge, Balotra. | —do— | Barmer and Jalore Districts | Balotra. |
| 10 Civil Judge, Sirohi. | Court of Session for Pali and Sirohi Districts. | Sirohi District. | Sirohi. |
| 11 Civil Judge, Bundi. | Court of Session for Kotah Division. | Bundi District. | Bundi. |
| 12 Civil Judge, Jhalawar. | Court of Session for Kotah Division. | Jhalawar District. | Jhalawar. |
| 13 Civil Judge, Baran. | —do— | Baran, Chhabra and Sironj Sub-Divisions. | Baran. |

| | | | |
|-------------------------------|--|--|------------|
| 14 Civil Judge, Dungarpur. | Court of Session for Udaipur and Dungarpur Districts | Dungarpur Dis- trict and Kher- wara Tehsil Udaipur District. | Cungarpur. |
| 15 Civil Judge, Banswara. | Court of Session for Chittorgarh and Banswara Districts. | Banswara District. | Banswara. |

*Note:—*The expression "division" "district", sub-division" and "Tehsil" refer respectively to the divisions, districts, sub-divisions and Tehsils as formed under the Rajasthan Territorial Divisions Ordinance, 1949.

The above notification has subsequently been modified as under:—

| Item No. | | Notification No. | Date | Gazette Reference | w. o. f. | Change. |
|----------|-----------------------|------------------|-----------|-------------------------------------|----------|--|
| 1 | 2 | | 3 | 4 | 5 | 6 |
| 14. | F.3. (18) Jud/51 | | 7/8/51. | vol. 3 No 78 Part I of 18/8/51. | — | Revised jurisdiction shall extend to Udaipur and Dungarpur Districts with Head Quarters at Udaipur. |
| 6. | F.1. (+2) Jud/50 | | 8/9/51 | Vol. 3. No. 90 Part I of 22/9/51. | 3/10/51 | Shall cease to exercise powers. |
| 7. | F.1. (67) (i) Jud 51 | | 29/11/51. | Vol. 3. No. 123. Part I of 8/12/51. | 2/1/52 | Civil Judge, Jodhpur to be Additional Sessions Judge for Jodhpur and Jaisalmer Districts. |
| 14. | F.1. (67) Jud/51. | | 29/11/51. | Vol. 3. No. 123 Part I of 8/12/51. | 2/1/52 | Superseded and instead Civil Judge, Udaipur shall be Additional Sessions Judge for Udaipur and Dungarpur Districts. |
| 3. | F.3. (+) Jud/52 (I) | | 11/9/52 | Vol. 4. No. 110 of 27/9/52 | | The jurisdiction shall extend to Malpura Sub-Division also. |
| 9. | F.1. (27) Jud/54 (II) | | 10/2/55. | Part I (A) of 26/2/55 | 1/5/55 | Shall be abolished and Senior Civil Judge. Jalore shall be Additional Sessions Judge for Districts of Jalore and Barmer. |

Published in Raj. Raj-patra Vol.2 No.26 Dated June 14, 1950 part I at page 188:

Jaipur, June 2, 1950

No. F. 1 (48) Jud./50.—In exercise of the power conferred by sub-section (2) of section 193 of the Code of Criminal Procedure, 1898, of the Central Legislature as adapted to Rajasthan, the Government of Rajasthan is pleased to direct that with effect from the 1st day of July, 1950, the Additional Sessions Judges at Churu, Kishangarh, Tonk, Gangapur, Dholpur, Jhunjhunu, Jaisalmer, Merta, Balotra, Sirohi, Bundi, Jhalawar, Baran, Dungarpur and Banswara shall try all cases triable by a Court of Session arising within the local limits of their jurisdiction and that in all such cases the accused persons shall be committed to their courts directly.

The Following Additional Sessions Judges have subsequently been given same powers vide respective Notifications noted against each:—

| No. | Additional sessions Judge at | Notification No. | Date | Gazette Reference | Date | w.e.f. | Remarks. |
|-----|------------------------------|---------------------------------|-------------------------|-------------------|------|--------|---|
| 1. | Sikar. | F.I. (103) Jud/52 of 2/4/53. | Part. I dated 11/4/53 | — | | | w/r to sessions cases arising in Bali & Desuri Tehsils of Pali District |
| 2. | Jalore. | F.I(27) Jud/54 (II) of 10/2/55. | Part I(A) dated 26/2/55 | 1/5/55 | | | |
| 3. | Sirohi. | F.I. (6) Jud/54 (I) of 27/6/50. | Part I(A) dated 9/7/55 | 15-7-55 | | | |

Published in Raj. Raj-patra Vol.2 No.26 Dated June 14, 1950 part I at page 188:

Jaipur, June 2, 1950.

No. F. 1 (49) Jud./50.—In exercise of the power conferred by the proviso to section 409 of the Code of Criminal Procedure, 1898, of the Central Legislature as adapted to Rajasthan, the Government of Rajasthan is pleased to direct that with effect from the 1st day of July, 1950, the Additional Sessions Judges at Churu, Kishangarh, Tonk, Gangapur, Dholpur, Jhunjhunu, Jaisalmer, Merta, Balotra, Sirohi, Bundi, Jhalawar, Baran, Dungarpur and Banswara shall hear such appeals from orders and sentences passed within the local limits of their jurisdiction as lie under that Code to a Court of Session.

The following additional Sessions Judges have subsequently been given same powers vide respective Notifications noted against each:—

| No. | Additional sessions Judges at | Notification No. | Date | Gazette Reference | Date | w.e.f. | Remarks. |
|-----|-------------------------------------|---------------------|---------|----------------------|---------|---------|----------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| 1. | Sikar | F.I. (103) | Jud/53 | Part I of | 21-3-53 | — | — |
| | | (v) | 12-3-53 | | | | |
| 2. | Jalore. | F.I. (27) | Jud/54 | Part I (A) of | 1-5-55 | 1-5-55 | Senior Civil |
| | | (II) | 10-2-55 | 26-2-55 | | | Judge as |
| | | | | | | | Addition |
| | | | | | | | sessions Judge |
| 3. | Sirohi | F.I. (6) | Jud/54 | Part I (A) of | 15-7-55 | 15-7-55 | With res- |
| | | (I) | 25-6-55 | 9-7-55 | | | pect to Bali- |
| | | | | | | | and Desuri |
| | | | | | | | Tehsils of |
| | | | | | | | Pali |

The following Civil Judges have subsequently been appointed in virtue of their office to be Additional Sessions Judges to exercise jurisdiction in the Court of Sessions mention in column No. 2 in respect of the area specified in column No. 3 and to sit for the purpose ordinarily at the place named in column No. 4 w.e.f. the date indicated in column No. 5 of the following table. The references about the notifications and gazette are contained in column No. 6 and 7 respectively:—

| Civil Judge at 1 | Court of sessions 2 | Area of jurisdiction 3 | Place of sitting 4 | w. e. f. 5 | Notification No. Date 6 | Gazette Reference-Date 7 |
|---|---------------------------------------|------------------------------|--------------------------|---------------|--|--|
| 1. Sikar | Jhunjunu Sikar and Sikar Districts | Sikar District | Sikar | 2-1-53. | F. (1) 103 Jud/52 (v) 18-12-52 | Part I of 27-12-52 |
| 2. Jaipur District senior | Jaipur District | Jaipur District | — | — | 940. F. L. (12) LJ/B/ 57 (II) dated 11-3-57 and dated 18-4-57. | Part IV (c) dated 28-3-57 and 23-5-57 |
| 3. Senior Additional Civil Judge, Ajmer District | Ajmer District. | Of Office | — | 15-10-57. | F. L. (99) LJ/B/57 (II) dated 12-10-57, | Part IV (A) dated 7-11-57 |

Published in Raj. Raj-patra Dated June 27, 1953 part I at page 299 :

JUDICIAL DEPARTMENT NOTIFICATIONS

Jaipur, June 15, 1953,

No. F. 1 (29) Jud./53 (III).—In pursuance of sub-section (3) of section 9 of the Code of Criminal Procedure, 1898 and in supersession of Notification of even number dated June 3, 1953, published in the Rajasthan Gazette Part I dated June 13, 1953, the Government of Rajasthan is pleased to appoint, with effect from the 1st day of July, 1953, and by virtue of their office the Civil Judges at (i) Nagaur, (ii) Jaisalmer and (iii) Dungarpur, to be Assistant Sessions Judges within the Sessions Division, respectively, in which the said Civil Courts are located.

Published in Raj. Raj-patra Dated May 22, 1954 part I (a) at page 46 :

Jaipur, May 6 1954.

No. F. 1 (79) Jud./53.—In pursuance of sub-section (3) of section 9 of the Code of Criminal Procedure, 1898, the Government of Rajasthan is pleased to appoint by virtue of office, the Civil Judge at Udaipur to be Assistant Sessions Judge within the Sessions Division which the said Civil Court is located.

Published in Raj Raj-patra Dated February 7, 1957 part IV (c) at page 806 ;

(Authorised by the Governor)

Jaipur, January 30, 1957.

No. F. 1 (68) L.J.B./56/359.—In pursuance of sub section (3) of section 9 of the Code of Criminal Procedure, 1898, the State Government is pleased to appoint, by virtue of his office, the Civil Judge, Alwar to be Assistant Sessions Judge, within the Sessions Division of Alwar.

By Order of the Governor,
PRABHU DAYAL LOIWAL
Secretary to the Government

Published in Raj. Raj-patra Dated May 29, 1958 part IV (c) at page 318 :

(Authorised by the Governor)

LAW AND JUDICIAL DEPARTMENT (B)

NOTIFICATION.

Jaipur March 18, 1958.

No. D.948/F. 1 (22) L.J./B/58.—In pursuance of sub-section (3) of section 9 of the Code of Criminal Procedure, 1898, the State Government hereby appoints, with effect from the 1st April, 1958 and in virtue of his office the Civil Judge, Partabgarh to be Assistant Sessions Judge within the Sessions Division of Partabgarh.

By Order of the Governor,
PRABHU DAYAL LOIWAL,
Secretary to the Government

Published in Raj. Raj-patra Dated April 28, 1956 part I (a) at page 43 :

[Authorised by His Highness the Rajpramukh]

Jaipur, April 9, 1956.

No.F. 3 (1) Jud/56.—In pursuance of sub-section (2) of section 409 of the Code of Criminal Procedure, 1898, the State Government is pleased to direct that the Assistant Sessions Judges at Dungarpur, Jaisalmer and Nagaur shall hear appeals of persons convicted on trial held by a second or third Class Magistrate within the Jurisdiction, respectively noted below against each:—

| Name of Court | Jurisdiction. |
|---|---|
| Assistant Sessions Judge, Dungarpur | Dungarpur District |
| Assistant Sessions Judge, Jaisalmer. | Jaisalmer District. |
| Assistant Sessions Judge, Nagaur. | Nagaur and Didwana Tehsils of Nagaur District. |

Published in Raj. Raj-patra Dated October 31, 1957 part IV (c) at page 558 :

(Authorised by the Governor)

LAW AND JUDICIAL DEPARTMENT (B)

NOTIFICATION

Jaipur, October 5, 1957.

No. F.1 (187) L.J. B /57.—In exercise of the powers conferred by sub-section (2) of section 409 of the Code of Criminal Procedure, 1898 and in partial modification of the Judicial Department Notification No. F. 3 (1) Jud/56, dated the 9th April, 1956 (published in the Rajasthan Gazette, Part I-A of 28-4-56), the State Government is pleased to direct that consequent on the changes made in the formation of certain Tehsils *vide* Revenue Department Notification No F. 25 (15) Rev. I/54, dated 28-9-54, and the redefining of the territorial jurisdiction of certain Munsifs and Civil Judges *vide* Judicial Department Notification No. F. 1 (25) Jud/55, dated 26-4-1956 (published in the Rajasthan Gazette, Part I-A of 19-5-56), the Assistant Sessions Judge at Nagaur shall hear appeals of persons convicted on trial held by a Second or Third Class Magistrate within his revised territorial jurisdiction as indicated below :—

Tehsils—

1. Nagaur.
 2. Deedwana.
 3. Jayal.
 4. Ladnu.
- of Nagaur District.

By Order of the Governor,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

In exercise of the powers conferred under Sub-section (4) of Section 17 and Sub-section (2) of Section 438 of the Criminal Procedure Code, the Sessions Judges of Rajasthan have delegated powers to Additional Sessions Judges. The Sections are reproduced below :—

(4) The Sessions Judge may also, when he himself is unavoidably absent or incapable of acting, make provisions for the disposal of any urgent application by an Additional or Assistant Sessions Judge or, if there be no Additional or Assistant Judge, by the District Magistrate, and such Judge or Magistrate shall have jurisdiction to deal with any such application.

(2) An Additional Sessions Judge shall have and may exercise all the powers of a Sessions Judge under this Chapter in respect of any case which may be transferred to him by or under any general or special order of the Sessions Judge.

POWERS UNDER CHAPTER XXXII OF THE CRIMINAL PROCEDURE CODE, 1898

Published in Raj. Raj-patra Vol. 2 Dated 15-7-50 part II at page 198 :

OFFICE OF THE SESSION JUDGES.

NOTIFICATIONS.

Sikar, July 3, 1950.

No. 4/H.C.—In exercise of the powers conferred by section 438 (2) of the Code of Criminal Procedure, 1898 of the Central Legislature as adapted to Rajasthan, the Sessions Judge of Sikar is pleased to direct that with effect from the 1st day of July, 1950, the 'Additional Sessions' Judge at Jhunjhunu shall exercise all the powers of a Sessions Judge under Chapter XXXII (of reference and revision) of the said Code within the local limits of his jurisdiction.

LAXMI DAN,
Session Judge, Sikar.

The other Session Judges of Rajasthan have also delegated the Additional Sessions Judges within their respective Sessions Divisions with powers of a Sessions Judge on the Chapter XXXII of the Criminal Procedure Code. The particulars of powers so delegated under section 438 (2) of Cr P.C. are tabulated as under:—

| S.No. | Additional sessions Judge at | Empowered by sessions Judge at | w. e. f. | Notification | | Gazette Reference | |
|-------|------------------------------|--------------------------------|----------|--------------|---------|-------------------|---------|
| | | | | No. | Date. | No. | Date. |
| 1. | Jaisalmer. | Jodhpur | 1-7-50 | 5/H.C. | 1-7-50 | vol.2. PartII | 15-7-50 |
| 2. | Merta. | --do-- | --do-- | --do-- | --do-- | --do-- | --do-- |
| 3. | Balotra. | --do-- | --do-- | --do-- | --do-- | --do-- | --do-- |
| 4. | Banswara. | Partapgarh | 1 7-50 | 9/H.C. | 5 7-50 | --do-- | --do-- |
| 5. | Sirohi | Pali | 1-7 50 | 6/H.C. | 1-7-50 | --do-- | --do-- |
| 6. | Churu | Bikaner | 1-7-50 | 1/H.C. | 3-7-50 | vol 2. PartII | 22-7-50 |
| 7. | Dungarpur | Udaipur | 1-7-50 | 8/H.C. | 1-7-50 | --do-- | --do-- |
| 8. | Kishangarh | Jaipur | 1-7-50 | 2/H.C. | 10-7-50 | Vol.2. Part II | 29-7-50 |
| 9. | Tonk | Jaipur | --do-- | --do-- | --do-- | --do-- | --do-- |
| 10. | Gangapur | Bharatpur | 1 7-50 | 3/H.C. | 1-7-50 | --do-- | --do-- |
| 11. | Dholpur | --do-- | --do-- | --do-- | --do-- | --do-- | --do-- |
| 12. | Bundi | Kotah | 1-7-50 | 7/H.C. | 5-7-50 | --do-- | --do-- |
| 13. | Jhalawar | Bharatpur | --do-- | 3/H.C. | 1-7-50 | Vol.2. Part II | 29-7-50 |
| 14. | Baran | --do-- | --do-- | --do-- | --do-- | --do-- | --do-- |
| 15. | Jhunjhunu | Sikar | 1-7-50 | 4/H.C. | 3-7-50 | Vol.2. Part II | 12-8-50 |
| 16. | Sikar | Jhunjhunu | 2-1-53 | 129 | 17-1-53 | Part II | 24-1-53 |

MISCELLANEOUS

*Published in Raj. Raj-patra Dated May 30, 1957 part IV (c) at page 92 :
Jaipur, April 25, 1957.*

N. F. 1 (58) LJ/B/57/1249.—In pursuance of Section 7 of the Code of Criminal Procedure, 1898, the State Government is pleased to direct that the limits of the Revenue Districts in the State of Rajasthan as re-constituted from time to time shall also be the limits, respectively, of the Districts for the purposes of the said Code.

*Published in Raj. Raj-patra Dated December 13, 1956 part IV (c) at page 689 :
RAJASTHAN HIGH COURT, JODHPUR.*

ORDER

Jodhpur, November 12, 1956.

No. 23/S.R O.—Under section 539 of the Criminal Procedure Code, the High Court has been pleased to appoint all Magistrates of the First Class in Rajasthan, except in Jodhpur and Jaipur Cities as persons before whom affidavits and affirmations to be used before the High Court or any officer of the High Court may be sworn or affirmed.

By Order of the Court,
M. L. RAZDAN,
Registrar

Published in Raj. Raj-patra Dated December 18, 1958 part IV (c) at page 1266 :

(AUTHORISED BY THE GOVERNOR)
LAW AND JUDICIAL DEPARTMENT (B)
NOTIFICATION

Jaipur, November 29, 1958.

No. D. 370 2/F. 3 (6) LJ/B/58.—In exercise of the power conferred by sub-section (2) of section 134 of the Code of Criminal Procedure, 1898 (Central Act V of 1898), the State Government hereby directs—

(a) that the publication of the proclamation referred to in the said sub-section of the said section shall be effected by beat of drum in the locality in which such order is to have effect or in the locality in which the person against whom the order is made ordinarily resides or by publishing it in such local newspapers as the Magistrate issuing the proclamation may deem fit or by one or more of these means, and

(b) that the Magistrate may thereafter if he considers necessary, cause the proclamation to be published in the Official Gazette also.

Note:—Publication by any one of the means mentioned in clause

(a) shall be deemed to be sufficient for the purpose of sub-section (2) of the section 134 or sub-section (i) of section 144 of the Code of Criminal Procedure, 1898 (Central Act V of 1898).

By Order of the Governor,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

Published in Raj. Raj-patra Dated October 11, 1949 at page 2 .

GOVERNMENT OF THE UNITED STATE OF RAJASTHAN.
Judicial Department.
NOTIFICATIONS.

Jaipur, October 11, 1949.

No. XVI/I/26/49.—In exercise of the power conferred by sections 10 and 39 of the Codes of Criminal Procedure for the time being in force in the United State of Rajasthan and all other powers enabling it in that behalf, the Government of the United State of Rajasthan is pleased to appoint all Collectors of districts in virtue of their office as District Magistrates within their jurisdiction.

Published in Raj. Raj-patra Dated February 7, 1950 at page 2 :

GOVERNMENT OF RAJASTHAN
Appointments Department.
NOTIFICATIONS.

Jaipur, February 7, 1950.

No. JI-1 (32) Appts.A/50.—In exercise of the power conferred by section 10 of the Criminal Procedure Code, 1898, as adapted to Rajasthan, the Government of Rajasthan is pleased to appoint the Collector of Sirohi, in virtue of his office, to be the District Magistrate of Sirohi.

Published in Raj. Raj-putra Dated October 11, 1949 at page 2 :

Jaipur, October 11, 1949.

No. XVI/I/27/49.—In exercise of the power conferred by sections 13 and 39 of the Codes of Criminal Procedure for the time being in force in the United State of Rajasthan and all other powers enabling it in that behalf, the Government of the United State of Rajasthan is pleased to appoint, in virtue of their office, all Assistant Collectors in charge of sub.divisions and City Magistrates as Magistrates of the first-class and Sub-Divisional Magistrates within their jurisdiction.

PRABHU DAYAL LOIWAL,
Law Secretary & Legal Remembrancer
to the Government of the United State of Rajasthan.

Published in Raj. Raj-patra Vol. 1 No. 94 Dated October 29, 1949 Extraordinary

GOVERNMENT OF THE UNITED STATE OF RAJASTHAN,
Judicial Department.
NOTIFICATION.

Jaipur, October 28, 1949.

No. F. I (52) Jud./49.—In supersession of notifications No. 886/J. B., dated the 13th February, 1948, and No. 3361/J. B., dated the 5th June, 1948, of the former Government of Jaipur, the Government of the United State of Rajasthan is pleased to order the —

(1) The Court of Special Magistrate, Customs and Excise, Jaipur, shall be abolished with effect from the 1st November, 1949, and

(2) all offences triable by a Magistrate under the Jaipur Customs and Excise Laws throughout the area covered by the former Jaipur State shall with effect from the said date be disposed of by Magistrates within their respective territorial jurisdictions.

PRABHU DAYAL LOIWAL,
Law Secretary and Legal Remembrancer
to the Government of the United State of Rajasthan.

Published in Raj. Raj-patra Dated March 17, 1956 part I (a) at page 335 :

(Authorised by His Highness the Rajpramukh)

Jaipur, February 21, 1956.

No. F. 1 (6) Jud./56 (2).—In exercise of the powers conferred by sub section (3) of section 528 of the Code of Criminal Procedure, 1898, the State Government is pleased to authorise the District Magistrate, Jaipur to withdraw from Magistrate subordinate to him all excoise cases in which the prosecution evidence is not finished, to enable him to make over the cases so withdrawn to the Excoise Magistrate at Jaipur.

By Order of
His Highness the Rajpramukh,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

Published in Raj. Raj-patra Vol 3 No. 75 Dated 11-8-51 Part I at page 455 :

Jaipur, July 31, 1951.

No. F. 1 (52) Jud./50.—In exercise of the powers conferred by section 12 of the Code of Criminal Procedure, 1898, and in modification of the Judicial Department Notification No. F. 1 (52) Jud/50, dated the 29th September, 1950, published in the Rajasthan Extraordinary Gazette, Part I, dated the 30th September, 1950, the Government of Rajasthan is pleased to order that the jurisdiction of the Court of the Extra Magistrate, Chirawa, at present headquartered at Jhunjhunu, shall extend over the whole of the Jhunjhunu Sub-Division.

Published in Raj. Raj-patra Dated January 8, 1955 part I (b) at page 622 :

GENERAL ADMINISTRATION DEPARTMENT NOTIFICATIONS

Jaipur, December 22, 1954.

No. F. 24(40) GA/A/54.—His Highness the Rajpramukh has been pleased to sanction the transfer of the Court of Extra Magistrate from Tijara to Behror with effect from 15th January, 1955.

By Order,
B. G. RAO,

Chief Secretary to the Government.

Published in Raj. Raj-patra Dated January 8, 1955 part I (b) at page 622 :

Jaipur, December 30, 1954.

No. F. 24(134) GA/A/54.—His Highness the Rajpramukh has been pleased to order that the Court of Extra Magistrate, Unjara,

shall be abolished with effect from the publication of this notification in the Rajasthan Gazette,

B. G. RAO,
Chief Secretary to the Government.

Published in Raj. Raj-patra Vol. 2 No. 130 Dated Feb. 13, 1951 part I :

GOVERNMENT OF RAJASTHAN

Judicial Department.

NOTIFICATION.

Jaipur, February 12, 1951.

No F. 2 (1) *Jud./51*.—In exercise of powers conferred by section 8 of the Code of Criminal Procedure, 1893, of the Central Legislature, as adapted to Rajasthan, the Government of Rajasthan is pleased to declare that the Municipal limits of the cities of Jaipur, Bharatpur, Kotah, Bundi, Bikaner, Jodhpur, Tonk, Udaipur and Bhilwara shall be deemed to be separate Sub divisions for the purposes of the said Code.

By Order of
His Highness the Rajpramukh,
PRABHU DAYAL LOIWAL,
*Secretary to the
Government of Rajasthan,
Judicial Department.*

Published in Raj. Raj-patra Vol. 3 No. 104 Dated 27-10-51 part I at page 660:
Jaipur, October 11, 1951.

No. F. 1 (53) *Jud./50*.—In exercise of the powers conferred by sub section (3) of section 9 of the Code of Criminal Procedure, 1898, the Government of Rajasthan, is pleased to order that with immediate effect one Additional Sessions Judge shall be appointed to exercise jurisdiction in the Court of Session at Bharatpur.

Published in Raj. Raj-patra Vol. 4 No. 105 Dated 20-9-52 part I at page 585 :

INTEGRATION DEPARTMENT.

ORDERS.

Jaipur, September 11, 1952.

No. F. (17) *Int. (B)/52*.—Government are pleased to sanction the abolition of the Courts of Additional District and Sessions Judges at Jaipur and Ganganagar and the creation in their places of Courts of Civil and Additional Sessions Judges. The cadre of District and Sessions Judges will accordingly be reduced by 2 and that of Civil and Additional Sessions Judges will be increased by 2.

By Order of
His Highness the Rajpramukh
M. U. MENON,
Secretary to the Government.

Published in Raj. Raj-patra Dated March 21, 1957 part I (a) at page 362 :

LAW & JUDICIAL (C) DEPARTMENT

ORDERS.

Jaipur, March 6, 1957.

No. D-1720/P. 5 (138) LR/56.—In pursuance of section 492 of the Code of Criminal Procedure, 1898, the State Government is pleased to appoint the following officers of Delhi Special Police Establishment as Public Prosecutor in the Courts in Rajasthan for criminal cases investigated by the Delhi Special Police Establishment:—

- (1) Public Prosecutor.
- (2) Prosecuting Inspector.
- (3) Prosecuting Sub-Inspector.

This is in supersession of this Department previous Notification No. D. 12176/F. 5 (138) LR/56 dated the 8th November, 1956, published in the Rajasthan Gazette, Part-IA, dated 22-11-1956.

By Order of the Governor,
PRABHU DAYAL DOIWAL,
Secretary to the Government.

Published in Raj. Raj-patra Dated may 23, 1957 part IV (c) at page 68 :

DISTRICT AND SESSIONS JUDGE, BALOTRA

ORDER

Balotra, April 18, 1957.

No. 2151.—In exercise of the powers conferred by section 438 (2) of the Code of Criminal Procedure, 1898, I hereby authorise the Additional Sessions Judge at Jalore to exercise all the powers of a Sessions Judge under Chapter XXXII (of Reference and Revision) of the said Code in cases of relating to proceedings before any inferior Criminal Court in Jalore District.

SOHAN LAL,
*District and Sessions Judge,
Balotra.*

Offices of Sessions Judges.

NOTIFICATIONS.

Jaipur, July 10, 1950.

No. 2/H.C.—In exercise of the powers conferred by section 438 (2) of the Code of Criminal Procedure, 1898, of the Central Legislature as adapted to Rajasthan, the Sessions Judge of Jaipur is pleased to direct that with effect from the 1st day of July, 1950, the Additional Sessions Judges at Kishangarh and Tonk shall exercise all the powers of a Sessions Judge under Chapter XXXII (of reference and revision) of the said Code within the local limits of their Jurisdiction.

AMAR SINGH,
*Sessions Judge,
Jaipur.*

Bharatpur, July 1, 1950.

No. 3/H.C.—In exercise of the powers conferred by section 438 (2) of the Code of Criminal Procedure, 1898, of the Central Legislature as adapted to Rajasthan, the Sessions Judge of Bharatpur is pleased to direct that with effect from the 1st day of July, 1950, the Additional Sessions Judges at Gangapur and Dholpur shall exercise all the powers of a Sessions Judge under Chapter XXXII (of reference and revision) of the said Code within the local limits of their Jurisdiction.

DHURJAT PRASAD,
Sessions Judge, Bharatpur.

Kotah, July 5, 1950.

No. 7/H.C.—In exercise of the powers conferred by section 438 (2) of the Code of Criminal Procedure, 1898, of the Central Legislature as adapted to Rajasthan, the Sessions Judge of Kotah is pleased to direct that with effect from the 1st day of July, 1950, the Additional Sessions Judges at Bundi, Jhalawar, and Baran shall exercise all the powers of a Sessions Judge under Chapter XXXII (of reference and revision) of the said Code within the local limits of their Jurisdiction.

P. N. SINGHAL,
Sessions Judge, Kotah.

ENGLISH TRANSLATION

(Authorised by the Governor)

LAW AND JUDICIAL DEPARTMENT (B)

NOTIFICATION

Jaipur, May 23, 1958.

No. D. 1777/F. I (63) LJ/B/58.—In pursuance of sub-section (3) of section 9 of the Code of Criminal Procedure, 1898, the State Goernment hereby appoints, with effect from the 1st June, 1958 and in virtue of his office the civil Judge, Ganganagar to be Assistant Sessions Judge within the Sessions Division of Ganganagar.

By Order of the Governor,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

CODE OF CRIMINAL PROCEDURE

Published in Raj. Raj-patra part IV (c) dated January 8, 1959 at page 1292-93

English Translation

(Authorised by the Governor)

Law and Judicial Department (B)

NOTIFICATION

Jaipur, December 27, 1958.

No. F. 1 (141) LJ/B/58 (II).—In exercise of the powers conferred by sub-section (3) of section 9 and sub-section (2) of section 193 and proviso to section 409 of the Code of Criminal Procedure, 1898, and in further modification of the Judicial Department Notification No. F. 1 (47) Judge/50, dated 2-6-1950 (Published in the Rajasthan Gazette, Extraordinary, Part I of 14-6-1950) the Government of Rajasthan is pleased to make the following orders which will take effect on and from the 12th January, 1959, namely:—

(i) The permanent Court of Additional Sessions Judge, Merta shall be kept in abeyance for one year.

(ii) The Additional Senior Civil Judge, Jodhpur (whose court has been created temporarily *vide* Law and Judicial Department (B) Notification No. F. 1 (141) LJ/B, 58 (I) of even date) shall, in virtue of office, be Additional Sessions Judge to exercise jurisdiction in the Sessions Division of Jodhpur.

By Order of the Governor,
P. D. LOIWAL,

Secretary to the Government.

Published in Raj. Raj-patra part IV (c) dated January 29, 1959 at page 1393

English Translation

(Authorised by the Governor)

Law and Judicial Department (B)

NOTIFICATION

Jaipur, January 7, 1959.

No. 4522/F. 1 (151) LJ/B/58—In pursuance of section 12 of the Code of Criminal Procedure, 1898 the State Government hereby invests the Deputy Director of Colonisation, Rajasthan Canal Project, with the powers of a Magistrate of the First Class to be exercised by him in virtue of office within his jurisdiction as Deputy Director Colonisation, Rajasthan Canal Project.

By Order of the Governor,
DEWAN CHAND SHARMA,
Secretary to the Government.

Published in Raj. Raj-patra part IV (c) dated April 16, 1959 at page 60

Law and Judicial Department (B)

NOTIFICATION

Jaipur, March 12, 1959,

No. D. 11 (I) F. 1 (38) L.J./B./59.—In exercise of the powers conferred by section 14 of the Code of Criminal procedure, 1898 (hereinafter referred to as the Code) and in supersession of Notification No. F. 2 (9) Jud. 52/B/1286 dated the 14th November, 1956 the State Government hereby—

(1) appoints the Additional District Magistrate II, Jaipur, in virtue of his office to be Special Magistrate to try or to commit for trial all cases investigated by the Delhi Special Police Establishment arising in Rajasthan; and

(2) In the exercise of such jurisdiction invests the said Magistrate with the ordinary powers of a Magistrate of the First Class and all additional powers specified in the Fourth Schedule to the Code with which a First Class Magistrate can be invested.

By Order of the Governor,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

Published in Raj. Raj-patra part IV (c) dated June 25, 1959 at page 255

English Translation

(Authorised by the Governor)

Law and Judicial Department (B)

NOTIFICATION

Jaipur, May 28, 1959.

No. D. 1371/F. (121) LJ/L/58-I.—In exercise of the powers conferred by sections 12 and 37 of the Code of Criminal Procedure, 1898 and in supersession of the previous notification No. 1703/F. 1 (46) LJ/B/56 (I), dated 31-1-1957 (published in the Rajasthan Gazette, Extraordinary Part IV-C, dated 31-1-1957) the State Government hereby—

1. Appoints with effect from 1-7-1959, the Munsif, Abu Road in virtue of office, to be a Magistrate of the First Class within the limits of his Civil Jurisdiction as revised under Law and Judicial Department Notification No. D. 1371 F.1 (121) LJ/B/58-II of even date and

2. Confers on the said Munsif-Magistrate all the additional powers mentioned in the Fourth Schedule to the said Code with which a magistrate of the First Class can be invested.

By Order of the Governor,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

Published in I aj. Raj-patra part IV (c) dated August 20, 1959 at page 452

Law and Judicial (C) Department

NOTIFICATION

Jaipur, July 15, 1959.

No. F. 23 (39) L.J.C./59.—In exercise of the powers conferred by sub-section (1) of section 492 of the Code of Criminal Procedure, 1898, the State Government hereby appoints the Solicitors attached to the Department of Company Law Administration, New Delhi and the Solicitor attached to the Regional Director, Department of Company Law Administration, Kanpur, in virtue of office, as public Prosecutors to conduct prosecutions under the Companies Act in all courts in the State of Rajasthan.

By Order of the Governor,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

Published in Raj. Raj-patra part I (a) dated October 29, 1959 at page 214

English Translation

(Authorised by the Governor

Law and Judicial (B) Department

NOTIFICATION

Jaipur, October 14, 1959.

No. D. 3006/F. 1 (151) LJ/B/58.—In pursuance of section 12 of the Code of Criminal Procedure, 1898, the State Government hereby invests the Deputy Directors of Colonisation Rajasthan Canal Project, with the powers of a Magistrate of the First Class to be exercised by them in virtue of office within their jurisdiction as Deputy Directors Colonisation, Rajasthan Canal Project.

2. This is in supersession of this Department Notification No. 4522/F. 1 (151) LJ./B./58 dated the 8-1-1959.

By Order of the Governor,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

Published in Raj. Raj-patra part IV (c) dated February 18, 1960 at page 1201

Home 'D' Department

NOTIFICATION

Jaipur, January 18, 1960.

*No. F. 23 (32) HD/59.*In pursuance of sub section (2) of section 10 of the Code of Criminal Procedure, 1898 (Central Act No. V of 1898), the State Government hereby directs that the Additional District Magistrate, Jodhpur, Pali and Nagaur (appointed vide Law and Judicial (B) Department Notification No. F. 1 (10) LJ/B/57/193 dated the 23 January, 1957, published in the Rajasthan Gazette Part I-A dated the 7th February 1957), shall have all the powers in their respective jurisdictions of a District Magistrate:—

(1) under the Rajasthan Premises (Control of Rent and Eviction) Act, 1950 (No. 17 of 1950), for the purposes of hearing appeals from an order of the Magistrate under section 22 (3) of the aforesaid Act; and

(2) under the Rajasthan Habitual Offenders Act, 1953 (No. IX of 1953).

BY Order of the Governor,
Z. S. JHALA,
Secretary to the Government.

Published in Raj. Raj-patra part IV (c) dated February 25, 1960 at page 1214-15
English Translation

(Authorised by the Governor)
Law & Judicial (B) Department

NOTIFICATION

Jaipur, January 5, 1960.

No. D. 4150/No. F. 1 (94) LJ/B/59 (ii).—In exercise of the powers conferred by sub-section (3) of section 9 and sub-section (2) of section 193 and proviso to section 409 of the Code of Criminal Procedure, 1898 and in further modification of the Judicial Department Notification No. F. 1 (47) Jud./50, dated 26-12-1950 (published in the Rajasthan Gazette, Extraordinary, Part I of 14-6-1950), the Government of Rajasthan is pleased to make the following orders which will take effect on and from the 15th January, 1960, namely:—

The Court of Assistant Sessions Judge at Jaisalmer is hereby by down graded into that of a Munsif Magistrate Court.

By Order of the Governor,
DEEWAN CHAND SHARMA,
Secretary to the Government.

Law & Judicial (C) Department
NOTIFICATION

Jaipur, December 24, 1959.

No. D. 18398/F. 23 (39) LJ-C/59 —In exercise of the powers conferred by sub-section (1) of section 492 of the Code of Criminal Procedure, 1898, the State Government hereby appoints the Company Prosecutor attached to the office of the Regional Director, Department of Company Law-Administration, Kanpur, in virtue of office, as Public Prosecutor to conduct prosecution under the Companies Act in all Courts in the State of Rajasthan.

By Order of the Governor,
DEEWAN CHAND SHARMA,
Secretary to the Government.

Published in Raj. Raj-patra part 1 (a) dated April 21, 1960 at page

Law & Judicial (B) Department

NOTIFICATION

Jaipur, February 17, 1960.

No. D. 367/F. 1 (23) LJ/B/50.—In exercise of the powers conferred by sections 12 and 14 of the Code of Criminal Procedure, 1898 (5 of 1898), the State Government hereby directs that:—

I. There shall be appointed following Special Magistrates, to be designated as Enforcement Officers-cum-Special Magistrates, to exercise jurisdiction over the local areas noted against each, namely:—

| Designation. 1 | Headquarters 2 | Local areas. 3 |
|--|-------------------|---|
| (1) Enforcement Officer-cum-Special Magistrate, Bharatpur. | Bharatpur | Districts of Alwar Bharatpur and Sawaimadhopur. |
| (2) Enforcement Officer-cum-Special Magistrate, Jhalawar | Jhalawar | Districts of Jhalawar and Kota. |
| (3) Enforcement Officer-cum-Special Magistrate, Aburoad. | Aburoad. | District of Jalore, Sirohi and Udaipur. |

II. The said Special Magistrates shall, by virtue of their Office as Enforcement Officers-cum-Special Magistrates, have and exercise the following powers in respect of offences under the Essential Commodities Act, 1955 (10 of 1955), arising within the limits of their respective local area, namely:—

- The ordinary powers of a Magistrate of the First Class; and
- Power to take cognizance under clauses (a), (b) and (c) of sub-section (1) of section 190 of the said Code.

III. The said Special Magistrates are authorised to hear and try the said cases at any place within the limits of their respective jurisdiction as may be necessary and convenient.

IV. The following Officers are hereby appointed as Enforcement Officers-cum-Special Magistrates, namely:—

- Shri Jai Shankar Shrimali, R.A.S., at Bharatpur.
- Shri Gajraj Singh Kothari, R.A.S. at Jhalawar.
- Shri Har Narain Mathur, R.A.S. at Aburoad.

By Order of the Governor,
DEEWAN CHAND SHARMA,
Secretary to the Government.

Law & Judicial (B) Department

NOTIFICATION

Jaipur, February 23, 1960.

No. D. 292/F. 1 (94) LJ/B/59 (I).—In exercise of the powers conferred by sections 12 and 37 of the Code of Criminal Procedure, 1898, the State Government is pleased :—

- (1) to appoint the Munsif, Jaisalmer, (District Jaisalmer) in virtue of office, to be a Magistrate of the First Class within the limits of his Civil Jurisdiction with immediate effect; and
- (2) to invest the said Munsif Magistrate with the additional powers to take cognizance of offences under clauses (a), (b) and (c) of sub-section 1 of section 190 of the said Code.

By Order of the Governor,
DEEWAN CHAND SHARMA,
Secretary to the Government.

Published in Raj. Raj-patra part IV (c) dated 11th August 1960 at page 277

English Translation

(Authorised by the Governor)
Law & Judicial (B) Department

NOTIFICATION

Jaipur, July 11, 1960.

No. D. 840/F. 21-E (9) LJ/B/58.—In exercise of the powers conferred by section 558 of the Code of Criminal procedure, 1898 (5 of 1898), the State Government hereby directs that for the purposes of the said Code, the language of all courts within the territories administered by the State Government other than the High Court, shall be Hindi written in Devnagri script.

By Order of the Governor,
D. C. SHARMA.
Secretary to the Government.

Published in Raj Raj-patra part IV (c) dated July 14, 1960 at page 139

English Translation

(Authorised by the Governor)
Law & Judicial (B) Department ,

NOTIFICATION

Jaipur, February 11, 1960.

No. D. 97/F. 2 (5) Jud./51.—In exercise of the powers conferred by sub-section (3) of section 174 of the Code of Criminal Procedure, 1898 (Central Act V of 1898), the Government of Rajasthan is pleased—

- (a) to appoint the medical officers hereinafter named to conduct post mortem examinations.

- (i) Medico-Legal Officers or Medical Jurists, where they are appointed;
- (ii) Where there is no Medico-Legal Officer or Medical Jurist but there is a principal Medical Officer as the head of the institution, any Medical Officer deputed by such principal Medical Officer;
- (iii) District Medical and Health Officers and Civil Assistant Surgeons, Class I, incharge of hospitals and dispensaries;
- (iv) Civil Assistant Surgeons, Class II, incharge of dispensaries, in cases in which the distance from the place of occurrence of death to the nearest hospital or dispensary in charge of a Civil Assistant Surgeon Class I, is so great as to involve the risk of decomposition likely to set in during the time required for taking the corpse to the latter hospital or dispensary; and

(b) to direct that bodies for post-mortem examinations shall be forwarded to the nearest medical officer authorised to conduct the same as aforesaid:

Provided that the bodies of soldiers, camp followers or other persons entitled to the professional attendance of the military medical staff shall be forwarded for such examinations to the staff Surgeons.

By Order of the Governor,
D. C. SHARMA,
Secretary to the Government.

Published in Raj Raj-patra part IV (c) dated September 15, 1960 at page 360
Law & Judicial (C) Department

NOTIFICATION

Jaipur, June 20, 1960.

No. D. 8439/F. 23 (32) LJC/60.—In exercise of the powers conferred by section 492 of the Code of Criminal Procedure, 1898 (V of 1898), the Government of Rajasthan hereby appoints Shri Ramlal Mehta, Deputy Legal Adviser in the Delhi Special Police Establishment, as Public Prosecutor to conduct the prosecution of cases investigated by the Delhi Special Police Establishment before all courts of Magistrates, Special Judges & Sessions Judges in the State of Rajasthan.

By Order of the Governor,
DIWAN CHAND SHARMA,
Law Secretary to the Government.

Published in Rāj. Rj-patra part IV (c) dated November 24, 1960 at page 508

Home (A) Department

NOTIFICATION

Jaipur, November 4, 1960.

No. F. 15/1 (24) HA (Gr. I) 58 Pt. II—In exercise of the powers conferred by Clause (a) of sub-section (1) of section 173 of the Code of Criminal Procedure, 1898 (Act V of 1898), the State Government hereby directs that the following charges shall be made in the outer foil of the charge sheet pro-forma prescribed under this Department Notification No. D. 12594/F-15/1 (24) Home (A) 58, dated the 31st December, 1958:—

1. Col. 1 shall be changed as under:—

Names and addresses of accused persons sent up for trial.

| In custody | On bail or recognizance |
|------------|-------------------------|
|------------|-------------------------|

2. In columns 2 and 4, the words "Name and address" shall be changed into the words "Names and addresses".

By Order of the Governor,

Z. S. JHALA,

Secretary to Government.

Published in Raj. Raj-patra part IV (c) dated November, 16, 1961 at page 395 :

Judicial Department

NOTIFICATION

Jaipur, September 18, 1961.

No. F. 1 (90)/LJ/B/61.—In pursuance of sub-section (2) of section 10 of the Code of Criminal Procedure, 1898, the State Government is pleased to direct that all Additional District Magistrates in the State shall also have the powers of a District Magistrate exercisable under sub-section 2 of section 528 of the said Code.

By Order of the Governor,
D. C. SHARMA,
Secretary to the Government.

Published in Raj. Raj-patra part I (a) dated February 8, 1962 at page 344 :

Judicial Department

NOTIFICATION

Jaipur, December 8, 1961.

No. F. 1 (61) Jud./61.—In exercise of the power conferred by sub-section (2) of section 10 of the Code of Criminal Procedure, 1898 (Central Act. V of 1898), the Government of Rajasthan is pleased to confer on the Additional District Magistrate, Jaipur concurrently with the District Magistrate, Jaipur the power to try cases arising within the limits of Jaipur District under section 12 of the Rajasthan Premises (Requisition and Eviction) Ordinance, 1949 and such other cases under other laws arising within the said district, as may be entrusted to him by the District Magistrate.

By Order,
DEERWAN CHAND SHARMA,
Secretary to the Government.

Published in Raj. Raj-patra part I (a) dated June 29, 1961 at page 93 :

English Translation

(Authorised by the Governor)

Law & Judicial (B) Department

NOTIFICATION

Jaipur, January 17, 1961.

No. F. 1 (128) LJ/B/60-II.—In exercise of powers conferred by sections 12 and 37 of the Code of Criminal Procedure, 1898, and in supersession of the previous notification No. 1703/F. 1 (46) LJ/B/56 (I), dated the 31st January, 1957 and D. 1371/F. 1 (121) LJ/B/58 (I), dated the 28th May, 1959, the State Government hereby:—

1. appoints with effect from 1st February, 1961, the Munsif, Abu-Road, in virtue of office, to be a Magistrate of the First Class within the limits of his Civil Jurisdiction as revised

under Law and Judicial Department Notification No. F. 1 (12*) LJ/B/60-I, of even date, and

2. confers on the said Munsif Magistrate, all the additional powers mentioned in the Fourth Schedule to the said code with which a Magistrate of the First Class can be invested.

By Order of the Governor,
DEEWAN CHAND SHARMA,
Secretary to the Government.

Published in Raj. Raj-patra part I (a) dated August 3, 1961 at page 144 :

English Translation
(Authorised by the Governor)

Judicial Department

NOTIFICATION

Jaipur, June 7, 1961.

No. F. 1 (80) LJ/B/61.—In pursuance of section 12 and 37 read with Section 39 of the Code of Criminal Procedure, 1898, (Central Act V of 1898), the Government of Rajasthan hereby:—

- (1) Appoints with effect from 1st day of June, 1961, the Munsiff at Jhalawar, in virtue of his Office to be a Magistrate of the First Class, for the local area comprised in the territorial limits of his Civil Jurisdiction, and
- (2) invests the said Munsiff, in his capacity as Magistrate of the First Class, with additional powers to take cognizance of offences under clauses (a), (b) and (c) of Sub-section (1) of Section 190 of the Code.

By Order of the Governor,
DEEWAN CHAND SHARMA,
Secretary to the Government.

Published in Raj. Raj-patra part I (a) dated December 14, 1961 at page 276 :

English Translation
(Authorised by the Governor)

Judicial Department

NOTIFICATION

Jaipur, October 26, 1961.

No. F. 1 (65) LJ/B/61.—In pursuance of section 12 and 37 read with section 39 of the Code of Criminal Procedure, 1898 (Central Act V of 1898), the Government of Rajasthan, hereby:—

- (1) appoints the Munsiff, at Kishangarhbas, in virtue of his Office to be a Magistrate of the First Class, for the local area comprised in the territorial limits of his Civil Jurisdiction, and
- (2) invests the said Munsiff, in his capacity as Magistrate of the First Class, with additional powers to take cognizance

of offences under clauses (a), (b) and (c) of sub section (1) of section 190 of the Code.

By Order of the Governor,
DEEWAN CHAND SHARMA,
Secretary to the Government.

Published in Raj. Raj-patra part I (b) dated June 15, 1961 at page 65 :

Judicial Department

NOTIFICATION

Jaipur, May 15, 1961.

No. F. 23 (45) LJ/B/61.—In exercise of the powers conferred by sub-section (3) of section 13 of the Code of Criminal Procedure, 1898 (Central Act V of 1898), the Government of Rajasthan hereby delegates its powers under sub-section (1) of the said section to all District Magistrates.

By Order
DEEWAN CHAND SHARMA,
Secretary to the Government.

Published in Raj. Raj-patra part I (a) dated November, 16, 1961 at page 243 :

Judicial Department

NOTIFICATION

Jaipur, August 28, 1961.

No. F. 1 (80) LJ/B/61.—In exercise of the powers conferred by section 14 of the Code of Criminal Procedure, 1898 (hereinafter referred to as the Code), and in supersession of Notifications No. F. 2 (8) Jud /52/B/1286, dated the 14th November, 1956 and No. D. 11 (1) F. 1. (38) LJ/B/59, dated the 12th March, 1959, the State Government hereby :—

1. Appoints as the Additional Collector and Additional District Magistrate (Administration), Jaipur in virtue of his office to be Special Magistrate to try or to Commit for trial of all cases investigated by the Delhi Special Police Establishment arising in Rajasthan, and
2. in the exercise of such jurisdiction invests the said Magistrate with the ordinary powers of a Magistrate of the First Class and all additional powers specified in the Fourth Schedule to the Code with which a First Class Magistrate can be invested.

By Order of the Governor,
DEEWAN CHAND SHARMA,
Secretary to the Government.

Published in Raj. Raj-patra part IV (c) dated July 27, 1961 at page 195 :

Legal Affairs Department

NOTIFICATION

Jaipur, June 21, 1961.

No. F. 23 (29) LA/61.—In exercise of the powers conferred by section 492 of the Code of Criminal Procedure, 1898 (V of 1898), the State Government hereby appoints the Public Prosecutor attached to the Fraud Squad of the Delhi Special Police Establishment as Public Prosecutor to conduct the prosecution of the cases investigated by the Delhi Special Police Establishment before all courts of Magistrates, Special Judges and Sessions Judges in the State of Rajasthan.

By Order of the Governor,
LEHAR SINGH METHA,
Secretary to the Government.

Published in Raj. Raj-patra part II (a) dated September, 14, 1961 at page 177 :

Office of the District Magistrate, Sikar.

ORDER

Sikar, July 31, 1961.

No 52-40-45/J. A.—By virtue of powers vested in me u/s 192 (2) of the Criminal Procedure Code, I. K.K. Joshi, I.A.S., District Magistrate Sikar hereby empower the Magistrate I Class, Sikar to transfer such cases which he has taken cognizance of for enquiry or trial to any other Magistrate who is competent under this Code.

K. K. JOSHI,
District Magistrate, Sikar.

Published in Raj. Raj-patra part IV (c) at page 747 :

Office of the District and Sessions Judge, Ajmer

NOTIFICATION

Jaipur, January 2, 1961.

No. 4.—In exercise of the powers conferred by section 438 (2) of the Code of Criminal Procedure, 1898 of the Central Legislature as adapted to Rajasthan. The Sessions Judge of Ajmer is pleased to direct that with effect from the 1st day of January, 1961, the Additional Sessions Judge at Kishangarh shall exercise all the powers of a Session Judge under Chapter XXXII (of reference and revision) of the said Code within the local limits of his jurisdiction.

S. L. AGARWAL,
Sessions Judge, Ajmer.

Published in Raj. Raj-patra part IV (c) dated March 23, 1961 at page 800 :

Jaipur, February 16, 1961.

No. F. 2 (30) E & T/60.—In exercise of the powers conferred by section 483 of the Code of Criminal Procedure, 1898 (Central Act 5 of 1898), the State Government hereby directs that the Registrars and Sub-Registrars appointed under the Indian Registration Act (Central Act 16 of 1908) shall be deemed to be civil courts within the meaning of section 480 and 482 of the said Code.

By Order of the Governor,
RAM SINGH,
Secretary to the Government.

Published in Raj. Raj-patra part IV (c) at page 48 :

NOTIFICATION

Dated, Jaipur, the 5th Sept, 1961.

No. F. 21 E (9) LJ/B/58.—In partial modification of this Department Notification of even number, dated the 11th July, 1960 and in exercise of powers conferred by section 558 of the Criminal procedure code 1898 (5 of 1898) the State Government hereby directs that for the purposes of the said code the language of all courts within the territories administered by the State Government other than the High Court shall be Hindi written in Devnagri script—

Provided that Sessions Judges, Additional Sessions Judges and Assistant Sessions Judges may write Judgments in English.

Published in Raj. Raj-patra part I (a) dated August 25, 1962 at page 25 :

Judicial Department

NOTIFICATION

Jaipur, August 23, 1962.

No. F. 1 (19) LJ/B/58.—In exercise of the powers conferred by sub-section (3) of section 9 of the Criminal Procedure Code, 1898 (Central Act 5 of 1898), read with section 41 thereof, the State Government hereby directs that, with effect from the 1st September, 1962, the Civil Judge, Kishangarh shall cease to exercise, in virtue of his office, jurisdiction as Additional Sessions Judge in the Court of Sessions for Ajmer.

By Order of the Governor,
LEHAR SINGH MEHTA,
Secretary to the Government.

Published in Raj. Raj-patra part I (a) dated August 25, 1962 at page 27 :

Judicial Department

NOTIFICATION

Jaipur, August 23, 1962.

No. F. 1 (19) LJ/B/58.—In exercise of the powers conferred by sub-section (3) of section 9 of the Criminal Procedure Code, 1898

(Central Act 5 of 1898) read with section 41 thereof, the State Government hereby directs that, with effect from the 1st day of September, 1962, the following Civil Judges shall cease to exercise, in virtue of their office, jurisdiction as Assistant Sessions Judges in the Courts of Sessions for sessions division specified against each:—

| S. No. 1 | Name of the Courts 2 | Sessions Division. 3 |
|-------------|--|-------------------------|
| 1. | Civil & Assistant Sessions Judge, Beawar | Ajmer. |
| 2. | " " " " Bharatpur | Bharatpur. |
| 3. | " " " " Ratangarh | Bikaner. |
| 4. | " " " " Bhilwara | Bhilwara. |
| 5. | " " " " Shahpura | Bhilwara. |
| 6. | " " " " Suratgarh | Ganganagar. |
| 7. | " " " " Jhunjhunu | Jhunjhunu. |
| 8. | " " " " Neem-ka-Thana | Jhunjhunu. |
| 9. | " " " " Kota | Kota. |
| 10. | " " " " Nagaur | Merta. |
| 11. | " " " " Pali | Pali. |
| 12. | " " " " Sojat | Pali. |
| 13. | " " " " Pratapgarh | Pratapgarh. |
| 14. | " " " " Chittorgarh | Pratapgarh. |
| 15. | " " " " Dungarpur | Udaipur. |

By order of the Governor,
LEHAR SINGH MEHTA,
Secretary to the Government.

Published in Raj. Raj-patra part I (a) dated August 29, 1962 at page 1 :

Judicial Department

NOTIFICATION

Jaipur, August 29, 1962.

No. F. 1 (19) LJ/B/58.—In exercise of the powers conferred by sub section (3) of section 9 of the Code of Criminal Procedure, 1898 (Central Act 5 of 1898), the State Government hereby appoints, with effect from the 1st of September, 1962, the Civil Judge, Hanumangarh, in virtue of his office, to be an Assistant Sessions Judge to exercise jurisdiction in the Court of Session for sessions division Ganganagar.

By Order of the Governor,
LEHAR SINGH MEHTA,
Secretary to the Government.

Published in Raj. Raj-patra part I (a) dated August 9, 1962 at page 123 :

English Translation
(Authorised by the Governor
Judicial Department
NOTIFICATION

Jaipur, July 24, 1962:

No. F. 1 (i)(2) Jud./62.—In exercise of the powers conferred by section 12 of the Code of Criminal Procedure, 1898 (Central Act V of 1898) read with section 37 thereof, the State Government :—

- (1) Appoints the Civil Judge, Chittorgarh, in virtue of his Office, to be a Magistrate of the First Class for the local area comprised within the territorial limits of the Civil jurisdiction of the Munsif, Nimbahera; and
- (2) invests the said Civil Judge with the additional powers to take cognizance of offences under clauses (a), (b) and (c) of sub-section (1) of section 190 of the said Code.

By Order,
LEHAR SINGH MEHTA,
Secretary to the Government.

Published in Raj. Raj-patra part I (a) dated August 25, 1962 at page 16 :

Judicial Department
NOTIFICATION

Jaipur, August 23, 1962.

No. F. 1 (19) LJ/B/58.—In exercise of the powers conferred by section 12 of the Code of Criminal Procedure, 1898 (Central Act 5 of 1898), the State Government hereby abolishes the following Courts of Magistrates of the First Class with effect from the 1st day of September, 1962, namely :—

1. Magistrate First Class (No. 1), Ajmer.
2. " " " (No. 2), Ajmer.
3. " " " Beawar.
4. " " " Kekri.
5. " " " Kishangarh.
6. " " " Barmer.
7. " " " Jalore.
8. " " " Santhore.
9. " " " Bharatpur.
10. " " " Deeg.
11. " " " Karauli.
12. " " " Dholpur.
13. " " " Bhilwara.
14. " " " Bikaner.
15. " " " (No. 1), Jaipur City.

| | | | | |
|-----|---|---|---|-----------------------|
| 16. | " | " | " | (No. 2), Jaipur City. |
| 17. | " | " | " | Dausa. |
| 18. | " | " | " | (No. 1), Jaipur. |
| 19. | " | " | " | Chirawa. |
| 20. | " | " | " | Neem-ka-Thana. |
| 21. | " | " | " | Sikar. |
| 22. | " | " | " | (No. 1), Jodhpur. |
| 23. | " | " | " | (No. 3), Jodhpur. |
| 24. | " | " | " | (No. 2), Kota. |
| 25. | " | " | " | (No. 3), Kota. |
| 26. | " | " | " | (No. 4), Kota. |
| 27. | " | " | " | Merta. |
| 28. | " | " | " | Pali. |
| 29. | " | " | " | (No. 1) Udaipur. |
| 30. | " | " | " | (No. 2) Udaipur. |

By Order of the Governor,
LEHAR SINGH MEHTA,
Secretary to the Government.

Published in Raj. Raj-patra part I (a) dated August 25, 1962 at page 22 :

Judicial Department
NOTIFICATION

Jaipur, August 23 1962.

No. F. I (19)/LJ/B/58 —In exercise of the powers conferred by sub section (1) of section 12 of the Code of Criminal Procedure, 1898 (Central Act 5 of 1898), the State Government hereby appoints with effect from the 1st September, 1962, the following Munsifs, in virtue of their office, to be Magistrates of the First Class to exercise jurisdiction within the Local limits of their respective Civil jurisdiction, namely :—

I. Ajmer Judgeship.

- | | |
|--------------------------|------------------------------------|
| 1. Munsif, Ajmer (East). | 5. Munsif, Kekri. |
| 2. " " (West). | 6. Additional Munsif, Ajmer (East) |
| 3. " " District. | 7. " " " (West) |
| 4. " Beawar. | 8. " " Kekri. |

II. Balotra Judgeship.

- | | |
|-------------------|--------------------------------|
| 9. Munsif, Barmer | 12. Additional Munsif, Barmer. |
| 10. " Jalore. | 13. " " Jalore. |
| 11. " Bhinmal. | |

III. Bharatpur Judgeship.

- | | |
|-----------------------------|---------------------------------|
| 14. Munsif, Bharatpur. | 16. Additional Munsif, Karauli. |
| 15. Additional Munsif Deeg. | 17. " " Dholpur. |

IV. Bhilwara Judgeship.

18. Munsif, Bhilwara.

V. Bikaner Judgeship.

19. Munsif, Bikaner. 20. Additional Munsif, Bikaner.

VI. Jaipur City Judgeship.

21. Munsif, Jaipur (East). 23. Additional Munsif, Jaipur (East).
22. " " (West). 24. " " Jaipur (West).

VII. Jaipur District Judgeship.

25. Munsif, Jaipur District. 28. Additional Munsif, Jaipur District.
26. " Dausa. 29. " " Dausa.
27. " Bandikui

VIII. Jhunjhunu Judgeship.

30. Munsif, Chirawa. 32. Munsif, Sikar.
31. " Neem-ka-Thana. 33. Additional Munsif, Sikar.

IX. Jodhpur. Judgeship.

34. Munsif Jodhpur City.
35. Additional Munsif, (No. 1) Jodhpur City
36. " " (No. 2) " "

X. Kota Judgeship.

37. Munsif, Kota.
38. Additional Munsif (No. 1), Kota.
39. " " (No. 2), "
40. " " (No. 3), "

XI. Merta Judgeship.

41. Munsif, Merta. 42. Munsif, Parbatser.

XII. Pali Judgeship.

43. Munsif, Bali. 45. Munsif, Pali.
44. " Jetaran. 46. " Sojat.

XII. Udaipur Judgeship.

47. Munsif, Udaipur.
48. Additional Munsif, Udaipur.

By Order of the Governor,
LEHAR SINGH MEHTA,
Secretary to the Government.

Published in Raj. Raj-patra part I (a) dated August 25, 1962 at page 26 :

Judicial Department
NOTIFICATION

Jaipur, August 23, 1962.

No. F. 1 (19) LJ/B/58.—In pursuance of sub-section (1) of section 12 of the Code of Criminal procedure, 1898 (Central Act 5 of 1898) read with section 37 and 39 thereof, the State Government

hereby appoints with effect from 1st September, 1962, the following Civil Judges, in virtue of their office, to be Magistrates of the First Class to exercise jurisdiction within the local limits of their respective Civil jurisdiction; and further invests each of these Magistrates with the special powers under sub-section (1), clauses (a), (b) & (c) of section 190 of the said Code to be exercised by them within the local limits of their respective criminal jurisdiction :—

1. Civil Judge, Beawar.
2. " " Kishangarh.
3. " " Bharatpur.
4. " " Ratangarh.
5. " " Bhilwara.
6. " " Shahpura.
7. " " Suratgarh.
8. " " Jhunjhunu.
9. " " Neem-ka-Thana.
10. " " Kota.
11. " " Pali.
12. " " Sojat.
13. " " Chittorgarh.
14. Judge Small Causes Court, Udaipur.
15. Civil Judge, Nagaur.
16. " " Dungarpur.
17. " " Pratapgarh.

By Order of the Governor,
LEHAR SINGH MEHTA,
Secretary to the Government.

Published in Raj- Raj-patra part I (a) dated August 25, 1962, dt pags 30 :

Judicial Department
NOTIFICATION

Jaipur, August 23, 1962.

No. F. I (19) LJ/B/58.—In exercise of the powers conferred by sub section (1) of section 12 of the Code of Criminal Procedure, 1898 (Central Act 5 of 1898), the State Government hereby appoints with effect from the 1st September, 1962, the following Munsifs, in virtue of their office, to be Magistrates of the First Class to exercise jurisdiction within the local limits of their respective Civil jurisdiction, namely :—

1. Additional Munsif, Hindaun.
2. Munsif, Ganganagar.
3. Munsif, Merta.

By Order of the Governor,
LEHAR SINGH MEHTA,
Secretary to the Government.

Published in Raj. Raj-patra part I (a) dated August 25, 1962 at page 24 :

Judicial Department

NOTIFICATION

Jaipur, August 23, 1962.

No. F 1 (19)/LJ/B/58.—In exercise of the powers conferred by section 37 of the Code of Criminal Procedure, 1898 (Central Act 5 of 1898) read with section 39 thereof, the State Government hereby invests the following Magistrates of the First Class, with effect from the 1st September, 1962 with special powers under sub-section (1), clauses (a), (b) and (c), of section 190 of the said Code to be exercised by them within their respective criminal jurisdiction, namely:—

1. Additional Munsif Magistrate, Ajmer (East).
2. " " " " (West).
3. " " " Kekri.
4. Munsif Magistrate, Beawar.
5. Additional Munsif Magistrate, Barmer.
6. " " " Jalore.
7. Munsif Magistrate, Phinmal.
8. " " " Bharatpur.
9. Additional Munsif Magistrate, Deeg.
10. " " " Karauli.
11. " " " Dholpur.
12. Munsif Magistrate, Bhilwara.
13. Additional Munsif Magistrate, Bikaner.
14. " " " Jaipur (East).
15. " " " " (West).
16. " " " (Jaipur District) Jaipur.
17. " " " Dausa.
18. Munsif Magistrate, Bandikui.
19. " " " Chirawa.
20. " " " Neem-ka-Thana
21. Additional Munsif Magistrate, Sikar.
22. " " " (No 1) Jodhpur.
23. " " " (No. 2) "
24. " " " (No. 1, Kota.
25. " " " (No. 2) "
26. " " " (No. 3) "
27. Munsif Magistrate, Merta.
28. " " " Parbatsar.
29. " " " Pali
30. " " " Bali.
31. " " " Sojat.
32. " " " Jetaran
33. Additional Munsif Magistrate, Udaipur.

By Order of the Governor,
LEHAR SINGH MEHTA
Secretary to the Government.

Published in Raj. Raj-patra part I (a) dated August 25, 1962, at pag 29 :

Judicial Department

NOTIFICATION

Jaipur, August 23, 1962.

No. F. 1 (19) LJ/B/58.—In exercise of the powers conferred by section 37 of the Code of Criminal Procedure, 1898 (Central Act 5 of 1898) read with section 39 thereof. the State Government hereby invests the following Magistrates of the First Class, with effect from the 1st September, 1962 with special powers under sub-section (1) clauses (a), (b) & (c), of section 190 of the said Code to be exercised by them within their respective criminal jurisdiction, namely:—

- 1, Additional Munsif, Hindaun.
2. Munsif, Ganganagar.
2. Munsif, Merta.

By Order of the Governor,
LEHAR SINGH MEHTA,
Secretary to the Government.

Rajasthan Prisoners Release on Parole Rules, 1958.

Home Department (B)

PAROLE RULES

Jaipur December 20, 1958.

No. F. 16 (306) Home 2/54.—In exercise of the powers conferred by sub-section (6) of section 401 of the Code of Criminal Procedure, 1898, (Act V of 1898), the Government of Rajasthan is pleased to make the following rules, namely:—

1. *Title, commencement and application*—(a) These Rules will be called Rajasthan Prisoners Release on Parole Rules, 1958;

(b) They shall come into force on the date of their publication in the official Gazette;

(c) These rules shall not apply to persons under a sentence of imprisonment for an offence against any law relating to a matter to which the executive power of the Union of India extends and such persons shall be governed by the Central Rules made under Notification of the Government of India, Ministry of Home Affairs No. 40/32/55 J. I, dated the 9th November, 1955, reproduced in the Appendix to these rules.

Notes.

Section 401 of the Code of Criminal Procedure empowers the State Government to suspend or remit sentences.

Sub-section (6) of this Section authorises the State Government to frame rules on this subject. The present rules have, therefore, been framed on the authority of Sub-section (6) of section 401 Cr. P.C.

Definitions.—In these rules unless there is anything repugnant in the subject or context:—

(a) "The Act" means the Code of Criminal Procedure, 1898 (Act V of 1898);

(b) "Superintendent" means the Superintendent of a Jail in which a convict to be released on parole under the Act is confined;

(c) "Government" means the Government of Rajasthan;

(d) "Parole" means suspension of sentence of a prisoner under these rules;

(e) "Probation Officer" means any officer or a person so appointed by the Government for the purpose of looking after a prisoner who has been released on parole.

3. *Application for release on parole.*—A prisoner sentenced to imprisonment for not less than one year may, subject to exceptionally good behaviour, be allowed by the Superintendent Jail, in which he is confined, to submit application for parole in triplicate in Form I.

4. *The Superintendent Jail to forward the application to the District Magistrate.*—The Superintendent of Jail concerned will enter the application in a register in Form II and will put his remarks on the application regarding condition of release and the prisoner's conduct in the Jail etc. on the application of the prisoner and would forward one copy of it in original to the District Magistrate of the District in whose jurisdiction the prisoner wants to spend his parole period and one copy of the application will be sent to the Probation Officer. The District Magistrate shall enter the application in a register in Form III.

5. *District Magistrate may reject the application or forward the same to the Government.*—(a) After consulting the Probation Officer where appointed and if felt necessary the Superintendent Police of the District, the District Magistrate concerned will give his remarks, whether the convict in question should be released on parole or not. In case the District Magistrate raises no objection to let off the prisoner on parole, he would send all the papers in original to the Government for orders stating the conditions on which the prisoner may be released on parole. In case the District Magistrate disapproves of the release, the application will be sent to the Superintendent Jail concerned stating the reasons of disapproval.

(b) When the Government receives the recommendation of the District Magistrate, it may consult the presiding judge of the court before or by which the conviction was had or confirmed under sub-section (2) of section 401 of the Act, and may accept or reject the application.

6. *Conditions of release.*—If the Government accepts the recommendation of the District Magistrate, the prisoner shall be released on parole on such conditions and for such period as the Government may direct. The order of release will be in Form IV.

7. *Release on Bond and Security.*—The Superintendent of Jail will release the prisoner on parole when he has furnished personal bond and security to the District Magistrate and has thoroughly understood the conditions of his release while on parole or any other condition which the District Magistrate may like to impose on such prisoner.

8. *Journey expenses on parole.*—The prisoner shall bear the journey expenses from and to the Jail. In cases of destitute prisoners Government may bear the cost of the prisoner's journey from and to the Jail. This concession will only be granted when the prisoner's family is so poor that they cannot meet his travelling expenses which should be mentioned in their application for parole giving at the same time the reasons therefor. In such cases the District Magistrate may cause enquiries to be made as regards the prisoner's financial position and state whether the concession should be allowed or not.

9. *Parole period.*—A prisoner, who has completed with remission, if any, two third of his sentence and subject to good conduct in the Jail, may be released on 1st parole for 20 days including days of journey to home and back, and for 30 days on 2nd parole provided his behaviour has been good during the 1st parole and for 40 days on third parole provided his behaviour has been good during the second parole. If during the third parole also the prisoner has behaved well and his character has been exceedingly well and if the prisoner's conduct has been such that he is not likely to relapse into crime, his case may be recommended to the Government through the Inspector General of Prisons for permanent release on parole on such conditions as deemed fit by the Superintendent Jail and the District Magistrate concerned; the chief condition among them being that if the prisoner while on parole commits any offence or abets, directly or indirectly, commission of any offence, he has to undergo the unexpired portion of the sentence in addition to any sentence imposed upon him by reason of such an offence. In case the permanent release on parole is rejected the prisoner will be eligible for release on parole for 40 days every year subject to the same conditions for the remaining period of his sentence.

10. No second and subsequent release on parole shall be made unless eleven months have elapsed from the date of the expiry of the period of release on parole immediately preceding.

11. *Supervision of Probation Officer.*—(a) In course of release on parole except the permanent release, the prisoner shall remain under supervision of a guardian approved by the Government who shall report any breach of the conditions of parole to the District Magistrate concerned.

(b) In case of permanent release on parole the prisoner should be under the supervision of a probation officer, where appointed. The supervision of a probation officer will be for the unexpired period of sentence allowed to be spent on parole.

12. *Parole period regarded as special remission.*—The period of parole may be regarded as special remission sanctioned by the Government under section 401 of the Act.

13. *Aim of parole to encourage good conduct.*—The grant of parole should be regarded as concession to encourage good conduct and it shall not be claimed by prisoners as a matter of right.

14. *Ineligibility for release.*—The following classes of prisoners will ordinarily not be eligible for release on parole:—

(a) Persons whose ordinary place of residence is outside the State of Rajasthan or who have been convicted by a Court Martial or a Court of another State;

(b) persons convicted under the Explosive Substances Act, 1908;

- (c) prisoners who have escaped from the Jail or Police custody or attempted to escape;
- (d) persons who have been convicted for offences under sections 121 to 140, 216A, 302, 303, 311, 328, 332, 364, 386, 387, 388, 389, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 413, 455, 458, 459 and 460 of the Indian Penal Code, 1860;

unless they have undergone three-fourth of the sentence including remission and the Superintendent of Jail recommends the case in consultation with the District Magistrate with special reasons therefor. In granting parole to prisoners sentenced u/s 302 I. P. C. the circumstances of the case under which the murder was committed, such as murder committed for possession of land or over honour of women or as a result of family feuds shall be kept in view and favourably considered for parole.

15. *Computation of sentences.*—For the purpose of these rules the following principles shall be observed in computing the period of sentence of imprisonment, namely:—

(a) When a prisoner has been sentenced to several terms of imprisonment for several offences, and the sentences of imprisonment have been ordered to run concurrently, then the longest single sentence which the prisoner is undergoing shall be deemed to be the term of his imprisonment;

(b) When a prisoner has been sentenced to several terms of imprisonment for several offences and the sentences of imprisonment have been ordered to run consecutively, the total period which the prisoner is to undergo shall be deemed to be the term of his imprisonment;

(c) Remission already earned by the prisoner as well as the period of release on parole shall be counted as imprisonment served by him; and

(d) Life sentences shall be reckoned as 20 years.

Explanation.—The expression "Sentence of imprisonment" in these rules shall mean imprisonment in default of payment of fine and imprisonment for failure to furnish security under Chapter VIII of the Act.

16. *Revocation.*—(i) The District Magistrate, on receiving information from the probation officer or any other source, of the breach by the prisoner of the conditions of parole, shall serve a notice on him, to show cause why his parole should not be revoked. If the prisoner presents himself in response to the notice then, after hearing him and if he does not present himself, then without hearing him, the District Magistrate may request the State Government for revocation of the prisoner's parole.

(ii) In case the District Magistrate decides to recommend the revocation of the parole, he may, at the same time, if he considers that prisoner is unfit to be allowed to remain at large under parole,

order his arrest and detention in the Jail from which he was released pending the receipt of the order of the State Government.

(iii) The State Government shall, on receipt of the District Magistrate's recommendation, pass such orders as it may deem proper. In case of revocation an order under section 401 (3) of the Act shall be issued by the State Government in Form V.

17. *Government has power to cancel.*—The Government can cancel the grant of parole during the period of parole, whenever it thinks proper to do so.

18. *Punishment for breach of conditions of Parole.*—The following punishments may be awarded to the prisoners for over staying their sanctioned parole period or for breach of any other condition laid down namely:—

(i) He should not be let off on parole in future unless the Superintendent of Jail is fully satisfied that he will not commit any breach of conditions in future.

(ii) In case the prisoner is released on parole on the recommendation of the Superintendent of Jail concerned after the breach of condition, the period of release on parole would be 7 days excluding days of journey to home and back. The next parole will be 15 days (provided he has behaved himself well during the period) and 30 days in the fourth parole.

(iii) If the prisoner again overstays or commits any breach of the terms of the parole, he shall be permanently debarred from the concession of release on parole.

19. *General.*—If a prisoner does not surrender himself on the expiry of the parole period without sufficient reasons therefor, he may be arrested by any police officer without a warrant and shall be remanded to undergo the unexpired portion of his sentence.

20. If the prisoner commits any fresh offence during his parole period, he shall be re-arrested and shall undergo the unexpired portion of his sentence besides any other sentence that may be awarded to him.

21. For the prompt disposal of applications regarding release of prisoners on parole on the ground of serious illness or death of their near relatives (Father, Mother, Daughter, Son, Husband or Wife), the District Magistrate will deal with the application expeditiously and cause immediate enquires to be made and communicate his recommendation to the Government within four days of the date of receipt of the application for parole.

By Order of the Governor,
Z. S. JHALA,
Secretary to the Government.

FORM I

(Rule 3)

Petition

(To be filled in by the prisoner)

1. Name
2. Father's name and caste.
3. Village, Tehsil, Sub-Division and District.
4. Name of the guardian.
5. Names of persons who are prepared to stand as sureties.

Declaration by the Prisoner.

I hereby declare that I desire to be released on Parole under section 401 (1) of the Code of Criminal Procedure, 1898, (Act V of 1898), and shall faithfully comply with the conditions of the parole, if released. I further agree to render myself liable to punishment for breaches of the conditions of parole under the Rajasthan Release on Parole Rules, 1958.

Dated

Signature of the prisoner

Convict Register No.....

(To be filled in by the Superintendent of Jail)

1. Name and register No. of prisoner.
2. Name of prisoner's father.
3. Prisoner's residence, Mohalla and Village, Police Station, District.
4. Prisoner's age.
5. Sentencing authority with case No.
6. Law under which sentenced.
7. Sentence.
8. Date of sentence.
9. (a) If casual, whether "STAR"
- (b) If habitual, whether professional.
10. (a) Period spent in Jail up to date of application.
- (b) Period spent in Jail up to the date of re-admission after the last release on parole, if any.

11. Conduct during the last release on parole.
12. (a) Date of eligibility for release
(b) Period of parole for which eligible.
13. Physical and mental condition.
14. Conduct in Jail.
15. Is it advisable to release the prisoner on parole, if so, on what conditions.
16. Any other remarks by the Superintendent.

Superintendent,

Jail.....

Date.....

(To be filled in by the Distt. Magistrate)

1. Date of receipt in the Distt. Magistrate's office.
2. Brief history of the case (nature of the crime, if determined by the court, should also be mentioned).
3. Is it advisable to release the prisoner on parole ?
4. Amount of personal bond and surities to be furnished.
5. Having regard to the prisoners antecedents and his conduct in Jail, is he likely to abstain from crime and lead a peaceable life, if released on parole ?

*The application is rejected.

Recommendation.

*It is recommended that the prisoner named above may be released on parole for days on furnishing a personal bond of Rs..... and two sureties of Rseach.

Dated.

District Magistrate.

Orders of the Government.

*The recommendation of the District Magistrate is accepted/
rejected.

Dated.

Home Secretary to the
Government of Rajasthan.

*To be struck off as the case may be.

FORM II

Jail Register of Application for release on Parole under Rule 4.

| S. No. | Date of application. | Name & No. of prisoner. | Whether application rejected by Supdt. | Whether returned by Supdt. to prisoner. | Date of release. | Actual date of release. | Date of expiry of parole. | Date of re-admission to Jail. | Date of revocation. | Remarks, if any. |
|--------|----------------------|-------------------------|--|---|------------------|-------------------------|---------------------------|-------------------------------|---------------------|------------------|
| 1. | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |

FORM III

Register of Application for release under Rule 4-maintained in the office of the District Magistrates.

| S.No. | Date of receipt of application from Supdt. | Name & No. of prisoner. | Whether recommended. | Amount of sureties. | Orders of Government. | Date of revocation. | Remarks, if any. |
|-------|--|-------------------------|----------------------|---------------------|-----------------------|---------------------|------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |

FORM IV

(Rule 6)

(Order of Release under section 401 (i) Cr.P.C. 1898)

In exercise of the powers conferred by section 401 (i) of the Code of Criminal Procedure, 1898 (Act V of 1898) the Governor of Rajasthan is pleased, subject to the convict hereinafter described furnishing a personal bond and two sureties of Rs. each for the observance of the conditions hereinafter set forth, to order the release on parole for a period of days of S/o age resident of village police station district at present confined in the Central District Jail Jail Register No

The period of this parole shall expire on the day of the release of the convict who shall on such expiry return to the prison.

Conditions to be observed by the convict.

The convict shall remain under the supervision and authority of the probation officer during the period of parole. He shall obey all the instructions of the said officer issued to him either verbally or in writing regarding his residence, movement, conduct, etc.

(2) He shall not proceed beyond the limits of the places within which his movements may be restricted by the Probation Officer without his permission and shall proceed to any place directed by the Probation Officer and by the route prescribed by him.

(3) He shall report himself at such times and places and to such persons as the Probation Officer may from time to time direct.

(4) He shall not commit within the Indian Union any criminal offence punishable by any law for the time being in force in the Union or any part thereof.

(5) He shall not in any way associate with persons known to be of bad character or lead desolute or evil life.

(6) If in the opinion of the State Government, he is found to have committed a breach of the above mentioned conditions, the State Government may, after the person concerned has been given an opportunity to represent his case before the District Magistrate, revoke the parole and direct his recommitment to the prison to serve the rest of the sentence.

By Order of the Governor,
Secretary to the Government of Rajasthan.

FORM V (Rule 16 (iii))

Order of Revocation of Parole under section 401 (3) Cr.P.C. 1898.

In exercise of the powers conferred by sub-section (3) of section 401 of the Code of Criminal Procedure, 1898 (Act V of 1898). the Governor of Rajasthan, hereby revokes, with effect from.....

The parole under sub-section (i) of the said section of the said Act, granted on to S/o resident of convict No..... of Central/District Jail..... and directs that he be re-admitted into the prison to serve out his sentence.

By Order of the Governor,
Secretary to Government of Rajasthan.

Rajasthan Prisoners' Release on Parole Rules, 1958

AMENDMENT

In the said Rules, after the existing rule 9, the following rule shall be added, namely:—

“9A.” In emergent cases the Superintendent of jail shall grant Parole up to a period of 7 days only subject to confirmation by the Inspector General of Prisons, and for a period of not more than 15 days by the Inspector General of Prisons.

[Pub. in Raj. Gaz. 4 (Gz.)—Dt. 26-5-66—Page 127, (14)]

Notification No. F. 23 (39) LA/63/Gr. 1.—In exercise of the powers conferred by section 492 of the Code of Criminal Procedure, 1898 (V of 1898), the Government of Rajasthan hereby appoints all the Labour inspectors (Central) posted in the State of Rajasthan by virtue of their office to conduct the prosecutions in the under mentioned Acts, in relation to the Industries and undertakings falling in the Central sphere, before all courts of Magistrates in the State of Rajasthan.

Names of Acts:—

1. Industrial Disputes Act, 1947.
2. Industrial Employment (standing orders), 1946.
3. Payment of Wages Act, 1936.
4. Minimum Wages Act, 1948.
5. Employment of Children Act, 1938.
6. Coal Mines provident Fund and Bonus Schemes Act, 1948.

(Rajasthan Gazette—Part I (ka)-dated 5.12.63—Page 144).

LEGAL AFFAIRS DEPARTMENTS

Jaipur, March 22, 1965.

Notification No F. 23 (39). LA/Gr. 1/63—In exercise of the powers conferred by sub-section (1) of section 492 of the Code of Criminal procedure, 1898 (Act 5 of 1898), the State Government hereby appoints all the Minimum Wages Inspectors appointed by the State Government under the Minimum Wages Act, 1948 (Central Act 11 of 1948) to conduct prosecutions before the courts of Magistrate First Class in the State of Rajasthan relating to the industries and undertaking falling in the State sphere under the Acts specified below:—

Name of the Acts.

1. Minimum Wages Act, 1948 (Central Act 11 of 1948).
2. Payment of Wages Act, 1936 (Central Act 4 of 1936).
[Pub. in Raj. Gaz. 4 (Ga)—Dated 13-5-65-Page 106 (15)]

HOME 'A' DEPARTMENT

Jaipur, December 10, 1964.

Notification No. F. 14/1 (6) Home (A-Gr. II)/64—In exercise of the powers conferred by clause (s) of section 4 of the Code of Criminal Procedure, 1898, and all other powers enabling in this behalf, the State Government is pleased to order the following amendment to this Department Notification No. F. 14/1/4/HA/57 dated the 15th July, 1957, namely :—

AMENDMENT

In the said Notification, for paragraph (2), the following shall be substituted namely :—

“(2) to order that the aforesaid police station shall deal with all cognizable offences relating to bribery and corruption including criminal breach of trust, criminal misappropriation and criminal misconduct involving a public servant, or any other cognizable offence specially directed by the Government in which a public servant may or may not be involved.”

[Pub. in Raj. Gaz. Ex. 4 (Ga)-Dt. 10.12-64- Page 531]

LEGAL AFFAIRS DEPARTMENT

Jaipur, October 21, 1965

Notification No F. 23 (3) LA/62.—In exercise of the powers conferred by sub-section (1) of section 492 of the Code of Criminal Procedure, 1898 (Central Act V of 1898), the State Government hereby appoints the Prosecuting inspectors and Prosecuting Sub-Inspectors of the Police Department as Police Prosecutors within their districts of posting for prosecuting the cases instituted under Fisheries Act as part of their duty.

This is in continuation to the Law Department Notification No. F. 3 (35) LR/51, dated 12 6-1951.

[Pub. in Raj Gaz. 4 (Ga)—Dt. 2-12-65—Page 437]

Rules for the Execution of Warrants for the Levy of Fines, 1960.

Law and Judicial (B) Department

NOTIFICATION

Jaipur, May 9, 1960.

No. F. 3 (7) LJ/B/59.—In exercise of the powers conferred by sub-section (2) of section 386 of the Code of Criminal Procedure, 1898 (Act V of 1898), the State Government is pleased to make the following rules to regulate the manner in which warrants for the levy of fines issued under clause (a) of sub-section (1) of the said section is to be executed and for the summary determination of any claims made by any person other than the offender in respect of any property attached in execution of such warrants:—

RULES

1. *Short title, extent and commencement.*—(1) These rules may be called the Execution of Warrants for the Levy of Fines, 1960.

(2) They extend to the whole of Rajasthan.

(3) They shall come into force from the date of their publication in the Rajasthan Gazette.

Notes

Sub-section (1) of section 386 of Code of Criminal Procedure authorises the Court, Sentencing an offender to pay a fine, to take action for the recovery of the fines in either or both of the following ways, that is to say, it may—

(a) issue a warrant for the levy of the amount by attachment and sale of any movable property belonging to the offender;

(b) issue a warrant to the Collector of the District authorising him to realise the amount by execution according to civil process against the movable or immovable property, or both, of the defaulter:

Provided that, if the sentence directs that in default of payment of the fine the offender shall be imprisoned, and if such offender has undergone the whole of such imprisonment in default, no Court shall issue such warrant unless for special reasons to be recorded in writing it considers it necessary to do so.

Subsection (2) of Section 386 Cr. P.C. reads as under;—

(2) The State Government may make rules regulating the manner in which warrants under sub-sec. (1), clause (a), are to be executed, and for the summary determination of any claims made by any person other than the offender in respect of any property attached in execution of such warrant.

The present rules have been framed in pursuance of powers conferred under sub-section (2) of section 386 of the Code.

2. *Form of Warrants* —A warrant for the levy of a fine issued under clause (a) of sub-section (1) of section 386 of the Code of Criminal Procedure, 1898 (hereinafter referred to as the Code), shall be directed to a police officer and shall be in Form No. XXXVII of Schedule V to the Code.

3. *Contents of Warrant.*—The authority issuing the warrant shall specify a time for the sale of the attached property and for the return of the warrant. The time specified for the sale shall not be less than two months from the date of the issue of the warrant.

4. *Attachment of moveable property.*—(1) The attachment of moveable property belonging to the offender shall be made by seizure:

Provided that, where, in addition to or in lieu of seizure, the Police Officer considers that either or both of the methods referred to in clauses (b) and (c) of sub-section (3) of section 88 of the Code, should be adopted he shall obtain an order to that effect from the Court issuing the warrant.

(2) When the method referred to in clause (b) of sub-section (3) of section 88 of the Code is adopted and a receiver is appointed, the Court may confer on the Receiver all or any of the powers which may be conferred on a Receiver appointed by a Civil Court under Order XL, Civil Procedure Code, and his duties, and liabilities shall be the same as the duties and liabilities of a Receiver so appointed.

Notes

This rule makes the procedure contained in section 88 of the Code applicable for the purposes of attachment under these Rules. Section 88 reads as follows:—

(1) The Court issuing a proclamation under Sec. 87 may at any time order the attachment of any property, movable or immovable, or both, belonging to the proclaimed person.

(2) Such order shall authorize the attachment of any property belonging to such person within the district in which it is made : and it shall authorize the attachment of any property belonging to such person without such district when endorsed by the District Magistrate or Chief Presidency Magistrate within whose district such property is situate.

(3) If the property ordered to be attached is a debt or other movable property, the attachment under this section shall be made—

- (a) by seizure; or
- (b) by the appointment of a receiver; or
- (c) by an order in writing prohibiting the delivery of such property to the proclaimed person or to any one on his behalf; or
- (d) by all or any two of such methods, as the Court thinks fit.

(4) If the property ordered to be attached is immovable, the attachment under this section shall, in the case of land paying revenue to the State Government, be made through the Collector of the district in which the land is situate, and in all other cases—

- (e) by taking possession; or
- (f) by the appointment of a receiver; or
- (g) by an order in writing prohibiting the payment of rent or delivery of property to the proclaimed person or to any one on his behalf; or
- (h) by all or any two of such methods, as the Court thinks fit.

(5) If the property ordered to be attached consists of live stock or is of a perishable nature, the Court may, if it thinks it expedient, order immediate sale thereof, and in such case the proceeds of the sale shall abide the order of the Court.

(6) The powers, duties and liabilities of a receiver appointed under this section shall be the same as those of a receiver appointed under Chapter XXXVI of the Code of Civil Procedure (XIV of 1882).

(6-A) If any claim is preferred to, or objection made to the attachment of, any property attached under this section within six months from the date of such attachment, by any person other than the proclaimed person, on the ground that the claimant or objector has an interest in such property, and that such interest is not liable to attachment under this section, the claim or objection shall be inquired into, and may be allowed or disallowed in whole or in part:

Provided that any claim preferred or objection made within the period allowed by this sub-section may, in the event of the death of the claimant or objector, be continued by his legal representative.

(6-B) Claims of objections under sub-section (6-A) may be preferred or made in the Court by which the order of attachment is issued or, if the claim or objection is in respect of property attached under an order endorsed by a District Magistrate or Chief Presidency Magistrate in accordance with the provisions of sub-section (2), in the Court of such Magistrate.

(6-C) Every such claim or objection shall be inquired into by the Court in which it is preferred or made:

Provided that, if it is preferred or made in the Court of a District Magistrate or Chief Presidency Magistrate, such Magistrate may make it over for disposal to any Magistrate of the first or second class or to any Presidency Magistrate, as the case may be, subordinate to him.

(6-D) Any person whose claim or objection has been disallowed in whole or in part by an order under sub-section (6-A) may, within a period of one year from the date of such order, institute a suit to establish the right which he claims in respect of the property in dispute; but subject to the result of such suit, if any, the order shall be conclusive.

(6-E) If the proclaimed person appears within the time specified in the proclamation, the Court shall make an order releasing the property from the attachment.]

(7) If the proclaimed person does not appear within the time specified in the proclamation, the property under attachment shall be at the disposal of the State Government, but it shall not be sold until the expiration of six months from the date of the attachment and until any claim preferred or objection made under sub-section (6-A) has been disposed of under that sub-section, unless it is subject to speedy and natural decay, or the Court considers that the sale would be for the benefit of the owner, in either of which cases the Court may cause it to be sold whenever it thinks fit.

5. Attachment of shares etc.—Where the property to be attached consists of the share or interest of the offender in moveable property belonging to him and another as co-owners, the attachment shall be made after obtaining an order to that effect from the Court issuing the warrant, by a notice to the offender prohibiting him from transferring the share or interest or charging it in any way.

6. Service of Warrant.—Before making the attachment, the Police Officer shall deliver or tender a copy of the warrant to the offender or in his absence to any adult member of his family. If the Offender is in jail, a copy of the warrant shall also be sent to the offender through the Jailor. If a copy cannot be so delivered or tendered, the Police Officer shall affix a copy of the warrant at some conspicuous place where the property to be attached is found and if the property is situated in a village, the fact of attachment should be proclaimed by beat of drum, after making the attachment the Police Officer, shall, in like manner, deliver, tender or affix, as the case may be an inventory of the property attached.

7. *Sale of Property*.—If no claim is preferred to any property attached, within one month from the date of the attachment, by any person other than the offender, the Police Officer executing the warrant shall have power to sell, within the time mentioned in the warrant and without previous reference to the Court issuing the warrant, the property or such portion thereof as may be sufficient to satisfy the amount to be levied:

Provided that, if the property attached consists of live stock or is subject to speedy and natural decay, or if in the interests of the owner the Court issuing the warrant orders its immediate sale, the Police Officer may sell it at once, but the proceeds of the sale shall not be appropriated towards to fine until the expiration of one month from the date of the attachment, and until any claim preferred under rule 6 has been disposed of:

Provided further that where any property is attached under rule 4, it shall not be sold without obtaining an order to that effect from the Court issuing the warrant; and where two or more persons, of whom one is a co-owner, respectively offer the same sum for such property it shall be deemed to be the bid of the co owner.

8. *Objections against attachment*—If any claim is preferred to any property attached under rule 3 within one month from the date of such attachment, by any person than the offender, on the ground that the claimant has an interest in such property and that such interest is not liable to attachment, the claim shall be enquired into and disposed of as provided in rules 8 to 11 and the Police Officer to whom the warrant is directed shall be directed to stay the sale of the property attached until further orders:

Provided that any claim preferred within the period allowed by this rule may, in the event of the death of the claimant, be continued by his legal representative.

9. *Competent Court for filling objections*.—Claims may be preferred under rule 7 in the Court by which the warrant is issued or if the claim relates to property attached under a warrant endorsed by a District Magistrate under section 387 of the Code, in the Court of such Magistrate.

10. *Enquiry on objections*.—(1) Every claim shall be enquired into and disposed of by the Court in which it is preferred:

Provided that, if it is preferred in the Court of a Session or Additional Sessions Judge or a District Magistrate such Judge or Magistrate may transfer it for enquiry and disposal to any Magistrate of the first or second class as the case may be, subordinate to him.

(2) Before any claim is enquired into under sub-rule (1), the Court may, in its discretion, require the claimant to deposit in Court a sum of money not exceeding ten per cent. of the value of the property attached or Rs. 10 whichever may be greater.

If the claimant fails to deposit the sum so required, the Court shall reject the claim

If the deposit is not so forfeited it shall be returned to the claimant as soon as may be practicable after the Court has recorded its decision under rule 11.

11. *Service of notice of objections.*—Notice of any claim preferred under rule 7 or of any objection thereto shall be served on the offender or in his absence, on any adult member of his family. If acceptance of such notice be refused notice may be dispensed with or may be affixed to the residence of the offender or member of his family.

12. *Order on objections.*—The enquiry shall be summary. An adult member of the offender's family or such other person as the Court in its discretion may permit may adduce evidence on behalf of the offender relevant to the claim or objection which may have been preferred. The Court shall record its decision on the claim with the reasons therefore. The decision shall forthwith be communicated to the police officer executing the warrant who shall dispose of the property in accordance with such decision.

13. *Suit against order on objections.*—Any person whose claim has been disallowed in whole or in part by a decision under rule 11 may, within a period of one year from the date of such decision, institute a suit to establish any right which he claims in respect of the property in dispute, but subject to the result of such suit, if any, decisions shall be conclusive.

14. *Vesting of sold property.*—Where any property, attached under rule 4 is sold the Court issuing the warrant may make an order vesting such property in the purchaser; and such property shall vest accordingly.

15. *Sale proceeds.*—The police executing the warrant shall, as soon as possible after the sale, produce the sale-proceeds before the Court issuing the warrant or if the property was sold under a warrant endorsed by a District Magistrate under section 387 of the Code, in the Court of such Magistrate.

Notes

Section 387 of the Code provides that:— [A warrant issued under Sec. 386, sub-sec. (1), clause (a), by any Court] may be executed within the local limits of the jurisdiction of such Court, and it shall authorize the [attachment] and sale of any such property without such limits, when endorsed by the District Magistrate or Chief Presidency Magistrate within the local limits of whose jurisdiction such property is found.

16. *Fresh warrant of attachment.*—Subject to the proviso to sub-section (1) of section 386 of the Code and subject also to section 70 of the Indian Penal Code, if, at any time subsequent to the return of the warrant, the fine, or any part thereof, remains unpaid, and the Court has reasonable ground for believing that the offender

has any moveable property, it may issue fresh warrant for the attachment and sale of such property in accordance with the Code and these rules.

Notes

Section 70 of the Indian Penal Code provides that:—The fine, or any part thereof which remains unpaid, may be levied at any time within six years, after the passing of the sentence, and if, under the sentence, the offender be liable to imprisonment for a longer period than six years, than at any time previous to the expiration of that period; and the death of the offender does not discharge from the liability any property which would, after his death, be legally liable for his debts.

17. *Rank of Police Officer.*—A Police Officer empowered under these rules shall not be inferior in rank to a Sub-Inspector of Police or Head Constable, when the estimated value of the property to be attached exceeds Rs. 100.

By Order of the Governor,
D. C. SHARMA
Secretary to the Government.

Rules and Notifications under

CRIMINAL LAW (AMENDMENT) ACT, 1932.

CRIMINAL LAW (AMENDMENT) ACT, 1932.
(No. XXIII of 1932)

Judicial Department
Jaipur, May 20, 1965.

Notification No. F. (14) Jud./64.—In exercise of the powers conferred by section 6 of the Criminal Law (Amendment) Act, 1952 (Central Act XLVI of 1952) and in supersession of this Department Notification No. F. 26 (90) Jud/62 dated the 7th July, 1964 and No. F. 1 (14) Jud./64, dated the 15th May, 1965, the State Government hereby makes the following amendment to this Department Notification No. D. 386/F. 3 (2) LJ/B/58, dated the 26th February, 1958, namely:—

AMENDMENT

In the said Notification, in para (ii), before the Schedule, for the expression "Session Judge, Jaipur City" the expression "Special Judge No. 2, Jaipur" shall be substituted.

[Pub. in Raj. Gaz. 4 (Ga)—Dated 22.7.65—Page 254]

Home (A) Department
Jaipur, October 2, 1967

Notification No. F. 15/1 (49) Home (A-Gr. I)/67.—In exercise of the powers conferred by sub-sections (1) and (2) of section 10 of the Criminal Law (Amendment) Act, 1932 (Act No. XXIII of 1932), as amended by the Criminal Law (Amendment) Act, 1935, the Government of Rajasthan is hereby pleased to declare that any offence punishable under section 188 of the Indian Penal Code (Act XLV of 1860), when committed in any area within the State of Rajasthan shall, notwithstanding anything contained in the Code of Criminal Procedure, 1898 (Act V of 1898), be deemed to be cognizable and non-bailable.

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 2.10.67—Page 589]

Rules and Notifications under

DANGEROUS DRUGS ACT, 1930 (CENTRAL ACT
No. 2 OF 1930).

The Rajasthan Dangerous Drugs Rules, 1961.

Excise and Taxation Department

NOTIFICATION

Jaipur, March 16, 1961.

No. F. 5 (15) SR/53.—In exercise of the powers conferred by sub-section (2) of section 8 and clause (a) of section 35 of the Dangerous Drugs Act, 1930 (Central Act No. 2 of 1930), the State Government, hereby makes the following rules, the same having been previously printed, namely:—

1. Preliminary.

1. *Short title, extent and commencement.*—(a) These rules may be called the Rajasthan Dangerous Drugs Rules, 1961.

(b) They shall extend to the whole of the State of Rajasthan and shall come into force at once.

Notes.

Sub-section (2) of section 8 and clause (a) of section 35 of the Dangerous Drugs Act, 1930 read as under:—

8.(2) The State Government may make rules permitting and regulating—

(a) the inter-provincial import and export into and from the territories under its administration, the transport, possession and sale of manufactured drugs, other than prepared opium, and of coca leaf; and

(b) the manufacture of medicinal opium or of any preparation containing morphine, diacetylmorphine or cocaine from materials which the maker is lawfully entitled to possess.

Such rules may prescribe the form and condition of licences for such import, export, transport, possession, sale and manufacture, the authorities by which such licences may be granted and the fees that may be charged therefor, and any other matter requisite to render effective the control of the State Government over such import, export, transport, possession sale and manufacture.

35. (a) the disposal of all articles confiscated under this Act; and

These rules have been frame in exercise of the powers conferred by above provisions/.

2. In these rules, unless there is anything repugnant in the subject or context:—

(a) “the Act” means the Dangerous Drugs Act, 1930;

(b) “approved practitioner” means—

(i) any person registered as a medical practitioner under the Rajasthan Medical Act (Act XIII of 1952) or under any corresponding law for the time being in force in any part of India;

(ii) any person registered as a dentist under the Dentists Act, 1948 (Central Act No. 16 of 1948) or any Act amending the same or under any law for the registration of dentists for the time being in force in any part of India;

(iii) any person possessed of qualifications which render him eligible for registration as a medical practitioner or as a dentist, as the case may be, and approved by the Deputy Commissioner;

(iv) any other person engaged in Scientific, Medical, Ayurvedic, Unani Tibbi or Veterinary practice and approved by the Commissioner.

(c) "assistant commissioner" means the Assistant Commissioner of Excise and Taxation;

(d) "commissioner" means the Commissioner of Excise and Taxation, Rajasthan;

(e) "deputy commissioner" means the Deputy Commissioner of Excise and Taxation.

(f) "excise officer" means an Excise Officer as defined in the Rajasthan Excise Act, 1950 (Rajasthan Act No. 2 of 1950);

(g) "export" means 'to export inter-provincially' as defined in clause (L) of section 2 of the Act;

(h) "government" means the Government of Rajasthan;

(i) "import" means "to import inter-provincially" as defined in clause (j) of section 2 of the Act;

(j) "licensed chemist" means a person who has obtained a licence under sub-rule (b) of rule 30;

(k) "licensed dealer" means a person who has obtained a licence under sub-rule (a) of rule 30;

(l) "manufactured drug" shall not include prepared opium;

(m) "ounce" means avoirdupois containing 437.50 grains or 28.35 grams or 2.43 tolas;

(n) "prescription" means a prescription given by an approved practitioner for the supply of any manufactured drug other than prepared opium in accordance with these rules.

II. Manufacture.

3. *Manufacture by a chemist or a dealer*.—A licensed chemist or a licensed dealer may, subject to the conditions of his license, manufacture:—

(i) medicinal opium from opium lawfully possessed by him; and

(ii) any preparation containing morphine, diacetylmorphine or cocaine from the material which the maker is lawfully entitled to possess,

4. *Dispensing by chemist.*—A licensed chemist may, subject to the provisions of rule 23 dispense on prescription any manufactured drug.

III. Possession.

5. *Possession by private person.*—Any person may possess any manufactured drug in such quantity as has been at one time dispensed and sold for his use in accordance with the provisions of rules 4 and 23 of these rules or of corresponding rules for the time being in force in any part of India.

6. *Possession by approved practitioner.*—(1) An approved practitioner may possess for use in his practice but not for sale, the following quantities of manufactured drugs:—

(a) Opium derivatives containing in aggregate not more than 6 grams of either morphine or diacetylmorphine or both;

(b) Coca derivatives containing not more than 3 grams of cocaine in the aggregate;

(c) Medicinal hemp not exceeding 28 grams of extract or 112 grams of tincture or both;

(d) Pethidine (also known under the names of Dolantin, Demerol and isonipecaine) not exceeding 12 grams either in liquid or solid form;

(e) Any other narcotic substance declared to be a manufactured drug under sub-clause (ii) of clause (g) of section 2 of the Act, up to such quantity as may be fixed by the Commissioner by notification in the Official Gazette:

Provided that the Deputy Commissioner may by special order authorise any such practitioner to possess as aforesaid any of the said drugs in a larger quantity not more than double the quantity prescribed above.

(2) Notwithstanding anything in sub-rule (1) the Assistant Commissioner may grant a special authorisation in form D.D. 3 to an approved practitioner for the possession for use, in the exercise of his practice but not for sale, of coca derivatives containing not more than 3.88 grams of cocaine:

Provided that the Deputy Commissioner may allow a larger quantity of the drug containing not more than 7.76 grams of cocaine, in such cases as he may, having regard to the requirements of the permit holder, consider advisable.

Explanation.—The expression "for use in his practice" covers only the actual direct administration of the drugs in injections, surgical operations or other emergent cases by or in the presence of an approved practitioner. All other issues of the drugs by an approved practitioner from his dispensary shall amount to sale except in the case of issues free of charge from specially recognised charitable medical institutions.

7. *Possession by Government medical officer.*—(1) A medical officer in charge of State or Central Government and Government grant-in-aid Medical Institutions, hospitals, dispensaries and veterinary hospitals and dispensaries may possess manufactured drugs for use in such institutions.

(2) An approved practitioner in charge of local board or municipal dispensaries or in charge of hospitals and dispensaries belonging to missions and other corporate bodies may possess manufactured drugs required for use in such dispensaries and hospitals.

8. *Maintaining of accounts by medical officer or approved practitioner.*—A medical officer or an approved practitioner possessing manufactured drugs under rule 7, shall:—

(1) Keep accounts of manufactured drugs received used and held in stock by him from time to time, in the form prescribed by the Commissioner. The accounts shall be plainly and correctly written up daily in books bound and paged and shall show in each case of purchase, the date of purchase and the name and the address of the person or firm from whom the purchase was made:

(2) preserve the said accounts for not less than two years from the date of the last entry in the account book and shall produce them, together with any manufactured drugs that may be in his possession at the time, for inspection on demand by the Assistant Commissioner or any other officer duly authorised by him in this behalf;

(3) furnish to the Assistant Commissioner or any other officer duly authorised by him in this behalf, within a week after the end of each financial year, information regarding the purchase and consumption of manufactured drugs during the preceding year and the stocks of manufactured drugs held by him on the last day of the year.

9. *Restrictions on privilege.*—(1) The Commissioner may, by order exclude any approved practitioner from the privilege conferred on him by rule 6 of possessing manufactured drugs if he—

(a) has, in the opinion of the Commissioner, abused such privilege in any way, or

(b) has committed any breach of these rules, or

(c) has, been convicted of any offence under the Act or under any other law for the time being in force relating to excise revenue, or

(d) has been convicted of any criminal offence, or

(e) is for any other reason considered by the Commissioner unfit to enjoy the privilege,

(2) When any order is passed under sub-rule (1) the practitioner concerned shall forth with deliver up to the Assistant Commi-

possession all manufactured drugs then in his possession, which shall be disposed of in the manner provided in the rules on the subject.

10. *Possession under special authority*.—A persons to whom an authorisation has been granted under these rules for the possession, import, export or transport of manufactured drugs may possess such drugs in such quantity and in such manner as may be specified in the authorization.

11. *Possession by dealer or chemist*.—A licensed dealer or a licensed chemist may possess manufactured drugs other than prepared opium in such quantity and in such manner as may be specified in his licence.

IV. *Import, export and transport.*

12. *Import, export and transport by private persons*.—Any person may import, export and transport such quantity of manufactured drugs, as he may lawfully possess under rule 5.

13. *Import, export and transport by approved practitioner*.—An approved practitioner may import export and transport such quantity of manufactured drugs, as he may lawfully possess under rule 6.

14. *Import and transport by Government Medical Officers*.—A Government medical officer in charge of State or Central Government and Government grant-in aid medical institutions, hospitals and dispensaries and Veterinary hospitals and dispensaries may import and transport manufactured drugs required for use therein.

15. *Import, export and transport under special authority*.—A person to whom an authorisation has been granted under 28 or rule 29, may export, import or transport the manufactured drugs in such quantity and in such manner as may be specified in the authorisation granted to him.

16. *Import by licensed dealer*.—A licensed dealer may as permitted by the Excise Commissioner or by an officer duly empowered in this behalf by him import medicinal opium, from Government Opium and Alkaloid Works, Ghazipur (hereinafter referred to as "the factory"). Such import shall be permitted subject to the following conditions:—

(1) Every application for the supply of medicinal opium shall be submitted through the Assistant Commissioner of the area in which the licensed premises are situated.

(2) The stock in hand on the date of application shall be stated and the quantity of opium applied for shall not be more than what is sufficient for six months manufacture subject, however, to the minimum of 2.25 kilograms prescribed in sub-rule (9) for individual indents.

(3) The purposes for which the medicinal opium is required shall be specified in the application.

(4) An intimation of the despatch of each consignment shall be sent by the Sales Manager of the Factory to the Assistant Commissioner who shall make arrangements for its examination on arrival by an excise officer not below the rank of an Inspector.

(5) A complete record of the quantity of medicinal opium received and used for each preparation, with the amount of each product manufactured and its morphine contents shall be maintained in such form as the Commissioner may prescribe. Such record shall be periodically examined by the Assistant Commissioner and shall also be opened to inspection by any excise officer not below the rank of an Inspector.

(6) Every consignment on arrival shall be examined by the officer referred to in sub-rule (4) and immediately brought to account in the form prescribed in sub-rule 5. No part of the medicinal opium shall be medicated except in the presence of such officer, who shall witness:—

(a) in the case of liquid extracts or tinctures—the beginning of the panning in the evaporators or the addition of the solvent in the percolators;

(b) in the case of mixtures—the thorough admixture of the medicinal opium with other drugs.

Two clear days notice shall be given to such officer of any medication of medicinal opium.

(7) No medicinal opium shall under any circumstances be sold or shall be allowed to be removed from the premises of the person to whom it has been issued, otherwise than as part of a manufactured medicinal preparation, and no medicinal opium shall be used for purposes other than those specified in the application.

(8) It shall be competent to the Commissioner to supply medicinal opium to such persons as he deems fit.

(9) The limit of the amount of medicinal opium to be supplied to any person in any one year commencing from the 1st day of April shall not be more than 200 pounds or 90.72 kilograms and individual indents shall not be for less than 5 pounds or 2.25 kilograms or more than 100 pounds or 45.40 kilograms at a time except in case of special urgency;

(10) Medicinal opium shall be supplied to any person at such price as may from time to time be fixed by the Narcotics Department.

17. *Export by licensed dealer.*—A licensed dealer subject to conditions of his licence, may export manufactured drugs to any

part of India, outside the State of Rajasthan, subject to the terms of an export authorisation granted by the Assistant Commissioner as required by Rule 32.

Explanation.—An Indent for opium derivatives other than prepared opium or medicinal hemp countersigned by the Principal Medical and Health Officer, or Superintendent of the Civil Veterinary Department shall, for the purposes of this rule be deemed to be an authorisation and shall not require further authorisation.

18. *Compliance of directions.*—Every person importing, exporting, or transporting manufactured drugs shall comply with such general or special directions as may from time to time be issued by the Commissioner.

19. *Compliance of rules of other States.*—Nothing in these rules shall be deemed to permit the import of manufactured drugs from any part of India outside the State of Rajasthan unless the rules for the time being in force in such part of India relating to the export of such drugs have been complied with.

20. *Import, export and transport prohibited by post.*—No person shall import, export or transport, by post manufactured drugs other than prepared opium, except under the following conditions, namely:—

(a) only the parcel post shall be used and the parcels shall be insured;

(b) the parcel shall be covered by an authorisation issued in this behalf by the competent authority at the place to which the parcel is addressed;

(c) the parcel shall be accompanied by a declaration showing the names of the consignor and the consignee, the contents of the parcel in detail, the number and date of the authorisation covering the import, export or transport, as the case may be, and the number of the license, if any, held by the consignor or the consignee;

(d) the consignor and the consignee, if they are licensees, shall show distinctly in their account books, the names of the consignee and the consignor respectively, and the quantities of the drugs imported, exported or transported by and to them, as the case may be, from time to time, by post.

V. *Sale otherwise than on prescription.*

21. *Sales by a licensed dealer.*—(1) A licensed dealer may, subject to the conditions of his license, sell, otherwise than on prescription, manufactured drugs, only:—

(a) to another dealer or chemist licensed under these rules, or under the corresponding rules for the time being in force in any part of India outside the State of Rajasthan;

(b) to an approved practitioner;

(c) to a person authorised under rule 28 or under any corresponding rule for the time being in force or aforesaid:

(d) to any person authorised to export the drugs under rule 29, or

(e) to the medical officer-in-charge of a Government hospital or officer-in-charge of the Veterinary Department or officer-in-charge of any other Government institution, on an indent countersigned by the Principal Medical and Health Officer or the District Medical and Health Officer, as the case may be:

Provided, however, that the quantity of cocaine hydrochloride mentioned in clauses (a) to (d) shall not exceed the quantity which at any one time 2 grains:

Provided, however, that the quantity of cocaine hydrochloride sold in its pure form to an approved practitioner shall not exceed at any and time 2 grams:

Provided also that no countersignatures shall be necessary in the case of indents from Government institutions for the supply of Pethidine (also known as Dolantin or Demero!) not exceeding 2 grams at any one time:

Provided further that the drugs shall not be delivered to any person, not licensed or otherwise authorised to be in possession of the drugs, who purports it to be sent by or on behalf of a person so licensed or authorised, unless an authority in writing signed by the person so licensed or authorised to receive the drug on his behalf is produced and unless the licensed dealer is satisfied that the authority is genuine

(2) such drugs shall be sold only in packages or bottles plainly marked with the amount of drugs in each package or bottle.

(3) Any preparation, admixture, extract or other substance containing such drug shall be sold only in packages or bottles plainly marked—

(a) in the case of powder, solution or ointment, with the total amount thereof in each package or bottle and the percentage of the drug in the powder, solution or ointment, and

(b) in the case tablets or other articles, with the amount of the drug in each article, and the number of articles in each package or bottle.

22. *Receptacles to be marked.*—Every package or bottle containing manufactured drugs other than prepared opium, shall be marked with the percentage or proportion or amount of opium, hemp morphine, diacetylmorphine or cocaine contained in the drugs.

VI. *Sale on prescription.*

23. *Sales by licensed chemist.*—A licensed chemist may sell manufactured drugs on prescription subject to the following conditions:—

(a) he shall sell the drugs in such quantity and for the use of such person only as may be specified in the prescription:

Provided that he shall not sell on such prescription cocaine hydrochloride in its pure form but only as a compounded preparation either as a prepared solution of ointment, etc:

Provided also that he shall not sell on such prescription unless directions for use are specified therein;

(b) he shall sell the drugs only once on a prescription unless it bears a superscription by an approved practitioner stating that it is to be repeated and at what intervals of time and how many times it is to be repeated.

Provided that if it appears that the drugs have already been sold on the prescription three times or such number of times less than three as the prescription is required to be repeated or that the interval specified in the superscription has not elapsed since it was last dispensed, he shall not sell the drugs on such prescription, except on a further superscription in that behalf by an approved practitioner;

(c) he shall, on the first sale on a prescription, retain the prescription in original, take a true copy of it, date, sign and seal and deliver it to the person to whom the prescription has been given. On the occasion of each sale on the prescription, he shall enter on the original and the true copy of the prescription the date of the sale and shall also sign and seal the true copy of the prescription;

(d) any other conditions that may be contained in his licence.

VII. Conditions relating to prescriptions.

24. *How prescriptions are to be granted.*—No prescription for the supply of manufactured drugs shall be given by an approved practitioner otherwise than in accordance with the following conditions:—

(a) the prescription shall be in writing, it shall be dated and signed by the approved practitioner with his full name, address and qualifications and shall specify the name and address of the person to whom, and the nature of the ailment for which, the prescription is given, the directions for use and the total amount of the drug to be supplied on the prescription provided that where the medicine to be supplied on the prescription is a proprietary medicine it shall be sufficient to state the amount of medicine to be supplied. When a dose in excess of the usual dosage of any such manufactured drug is prescribed, the amount of the dose shall be emphasised by being underlined and the initials of the practitioner set in the margin opposite. If the drug prescribed be a coca derivative, the quantity of the coca derivative prescribed shall not contain more than 1 gram of cocaine in the aggregate;

(b) the prescription shall be in triplicate, one copy shall be retained by the prescriber and duplicate and triplicate shall be given to the patient who shall produce both the copies to the licensed chemist. He shall after making the complete supply retain one copy for his record and send every quarter the other copy duly stamped by him and making a reference of the entry in his register to the Drugs Controlling Authority of the State or any other officer authorised by him in this behalf. This shall not apply to Government medical officers;

(c) the prescription shall not be given for the use of the prescriber himself;

(d) a registered dentist shall give a prescription for the purpose of dental treatment and shall mark it "for local dental treatment only"; and

(e) a registered veterinary surgeon shall give a prescription only for the purpose of treatment of animals and shall mark it "for animal treatment only".

VIII. Accounts.

25. *Accounts to be maintained in Form D.D. 7.*—Every approved practitioner other than those referred to in rule 8 shall maintain an account in Form D.D. 7 in respect of manufactured drugs possessed by him for use in his practice and such account shall be opened to inspection by any officer of the Excise Department, not below the rank of a Inspector or by an officer of the Revenue or Police Department of and above the rank of Tehsildar or circle Inspector respectively.

26. *Sale accounts.*—Every licensed dealer or a licensed chemist shall maintain a written record of every manufactured and sale effected by him of the manufactured drugs in Form D.D. 7 and shall submit monthly returns in such forms as may be prescribed from time to time by the Commissioner, in the first week of the following month to the Assistant Commissioner of the District and also to the Drugs Controlling Authority of the State or any other Officer authorised by him in this behalf.

IX. Approval, Authorization and Licence.

27. (a) *Approved persons.*—The Commissioner may, for the purposes of sub-clause (iv) of clause (b) of rule 2, approve any person engaged in medical or veterinary practice.

(b) The Deputy Commissioner may, for the purpose of sub-clause (iii) of clause (b) of rule 2, approve any person possessed of the qualifications specified in that sub-clause.

28. *Authorisation to possess import and transport.*—The Deputy Commissioner may, with the sanction of the Commissioner, by a general or special order, authorise—

(a) any person in charge of an educational institution or engaged in scientific research to possess import or transport, for educational and scientific purposes only, manufactured drugs in such quantity and in such manner as may be specified by him in that order;

(b) a pilot of an aircraft to possess and use on the aircraft in an emergency preparations containing morphine in such quantity and in such manner as may be specified in such order; and

(c) any person in charge of an ambulance or a first-aid station or a first-aid box to possess and use in an emergency manufactured drugs in such quantity and in such manner as may be specified in such order.

29. *Authorization to export*—The Commissioner may, by a special order, authorise any person to export opium derivatives other than prepared opium or medicinal hemp, subject to such conditions, as may be specified in that order.

30. (a) *Dealer's Licence*.—The Assistant Commissioner may subject to the approval of the Commissioner or any other officer empowered by him in this behalf, grant to any person a dealer's licence in form D.D. 1, permitting him to manufacture, possess and sell manufactured drugs, subject to other provisions of these rules and to the conditions of his licence.

(b) *Chemist's Licence*.—The Assistant Commissioner may subject to the approval of the Commissioner or any other officer empowered by him in this behalf grant to any person a Chemist's licence in Form D.D. 2 permitting him to manufacture, possess and sell manufactured drugs subject to other provisions of these rules and to the conditions of his licence.

(c) A fee of Rs. 5/- for a year or part thereof shall be levied on every licence granted under sub rule (a) or sub-rule (b). Such licence shall unless renewed be valid for a period not exceeding one year but in no case shall such period extend beyond the 31st March next following the date of commencement of the licence.

(d) Every application for renewal of a licence shall be submitted before the expiry thereof and shall be accompanied, if made not less than one month before such expiry, with a fee of Rs 5/- and if made before less than one month with an additional fee of Rs. 5/-.

(e) No licence under this rule or renewal thereof shall be granted to a person unless he holds the requisite licences under the Drugs Act, 1940 (23 of 1940).

31. *Authorisation to Import*—The Assistant Commissioner may grant to any licensed dealer or licensed chemist an authorisation in Form D.D. 5 for the import of manufactured drugs not exceeding the quantity which such dealer or chemist may lawfully possess.

32. *No objection certificate from the place of Import.*—When any manufactured drug is to be exported to any other part of India the person intending to export the same shall first obtain no objection certificate from an officer authorised in this behalf under the corresponding rules in force in such other part of India and present such certificate, along with the indent, to the Assistant Commissioner, who shall then, if he sees no objection, issue an export authorisation in Form D.D. 4.

33. *Transport authorisation.*—When any manufactured drug is to be transported, the person intending to transport the same shall first obtain a transport authorisation in Form D.D. 6 from the Assistant Commissioner at the place to which the drug is to be transported and present it to the Assistant Commissioner at the place from which the drug is to be transported, who shall complete the authorisation and allow the removal of the drug provided that the quantity of the drug does not exceed the quantity which such person may lawfully possess.

34. *Fees.*—Fees in respect of the transfer of a licence from one site to another or from one name to another, the grant of a duplicate copy of a licence, authorisation or pass, the amendment of licence or authorisation shall be charged at the rates and be paid at the place and in the manner mentioned below:—

(1) *Fee for the transfer of the licensed premises to a new site.*—The fee payable in respect of the transfer of a licence in Form D.D. 1 from one site to another shall be Rs. 2/- and that in Form D.D. 2 Re. 1/-. The fees shall be paid before such transfer takes place:

Provided that if consequent on unforeseen circumstances such as fire, earthquake, lightening or any other act of God or by reason of the prevalence of an epidemic, the Assistant Commissioner directs the transfer of a licence from one site to another, no fees shall be chargeable for such transfer. Should the licensee however, desire to establish himself permanently at such new site, the licensee shall be liable to pay the prescribed fee for such transfer.

Provided further that no fee shall be chargeable for the transfer of a licence from one site to another when such transfer is made within thirty days of the date on which the licence was granted or when, in the opinion of the Assistant Commissioner such transfer is necessary on administrative grounds.

(2) *Fee for the transfer of licences from one name to another.*—The fee payable in respect of the transfer of a licence in Form D.D. 1 from one name to another shall be Rs. 2/- and that in Form D.D. 2 Re. 1/-. The fee shall be paid before such transfer takes place.

Explanation.—For the purposes of this sub-rule, an admission into or withdrawal of a partner from the business of a licensee with the approval of the Assistant Commissioner shall be deemed to be a transfer of licence

from one name to another, except in the case of a transfer of licence from the name of a deceased licensee or partner of such licensee to that of his legal heir or representative.

(3) *Fee for the grant of a duplicate copy of a licence, an authorisation or a pass.*—The fee payable for supply to a licensee of a duplicate copy of a licence, authorisation or pass shall be Re. 1/-.

(4) *Fee for amendment in a licence or authorisation.*—The fee payable for each amendment to be made in a licence of authorisation or pass shall be Re. 1/-.

(5) The fees payable under these rules shall be paid in the district in which the licence premises are situated.

35. *Cancellation or suspension of licence or authorisation.*—(1) Subject to such directions that the Commissioner may give in this behalf, the officer who has granted a licence or has by order approved or authorised, any person under these rules—

(a) may, by an order in writing stating the reasons therefore, cancel such licence or order or suspend it for such period as he thinks fit either wholly or in respect of some of the substances to which it relates, after giving such person an opportunity to show cause why such an order should not be passed—

(i) if, in his opinion, such person has—

- (a) failed to pay any duty or fee payable by him, or
- (b) by himself or by any servant or person acting on his behalf committed any breach of conditions of such licence or order or of these rules, or
- (c) been convicted of any offence under the Act or under the law for the time being in force relating to excise revenue, or of any criminal offence;

(i) if it is a condition of such licence or order that it may be cancelled or suspended at the will of such officer;

(iii) in any other case, after giving to such person fifteen days notice;

(b) shall cancel such licence or order within fifteen days of the receipt of a notice from such person to the effect that he desires to surrender the same.

(2) When such licence or order has been cancelled or suspended as aforesaid such person shall forthwith make over to the Assistant Commissioner, along with the licence, all raw opium and all manufactured drugs then in his possession.

(3) When any raw opium or any manufactured drug, in the possession of any person licensed or authorised under these rules is found by him to be unfit for use such person shall forthwith deliver up such raw opium or drug to the Assistant Commissioner.

X. *Disposal of drugs and confiscated articles.*

36. (1) Whenever any article is ordered to be confiscated under section 34 of the Act for an offence committed in contravention of these rules the Court or the Collector or other officer authorised by the State Government, who orders confiscation, shall make over the confiscated article, if it is cocaine, to the Director of Medical and Health Services, Government of Rajasthan, and if it is any other article, to the Assistant Commissioner for disposal.

(2) The Director of Medical and Health Services Government of Rajasthan shall examine or cause to be examined all confiscated cocaine made over to him under sub-rule (1). If the cocaine is found fit for use, the Director of Medical and Health Services may utilise it for the purposes of Government hospitals or institutions in the State of Rajasthan and if the quantity of cocaine is more than sufficient for the needs of such hospitals or institutions or is found unfit for use, he shall send the surplus quantity of cocaine or cocaine found unfit for use, as the case may be, to the Chief Chemist Central Revenues Control Laboratory, New Delhi.

(3) The Assistant Commissioner shall cause—

(a) all manufactured drugs and diacetylmorphine, confiscated and made over to him under sub-rule (1), and

(b) all manufactured drugs made over to him under rule 35 : to be examined by the Chemical Analyser to Government. All confiscated diacetylmorphine shall be destroyed. If any drugs examined by the said Chemical Analyser are certified by him to be fit for use, the Assistant Commissioner may sell them to any dealer or chemist licensed under these rules or under any corresponding rules for the time being in force in any other part of India or to any person authorised by an order made under rule 28 or any corresponding rules in force as aforesaid. The Assistant Commissioner may require any licensed dealer or licensed chemist to purchase at such price as the Assistant Commissioner may direct any quantity of such drugs not exceeding such quantity as the Assistant Commissioner may determine to be ordinarily saleable by him in two months. The sale proceeds of the confiscated drugs shall be credited to Government. The sale proceeds of the drugs made over to the Assistant Commissioner under sub-rule (2) of rule 35 shall, however, be paid to the person whose licence has been cancelled or suspended. If the such drugs are certified by the said Chemical Analyser to be unfit for use, the Assistant Commissioner shall cause them to be destroyed.

(4) The Assistant Commissioner shall dispose of all articles, made over to him under sub-rule (1), other than those mentioned in clause (a) of sub-rule (3) in such manner as he may think fit.

XI. *Issue of subsidiary orders.*

37 *Subsidiary orders by commissioner.*—Subject to the provisions of the Act and of these rules, the Commissioner may, from time to

time give such directions as he may think fit for the purpose of carrying out the provisions of these rules.

XII. *Exemptions.*

38. *Exemption.*—All preparations containing not more than 0.2% of morphine or 0.1% of cocaine and any preparation which the Central Government may, by notification in the Gazette of India made in pursuance of a finding under Article 8 of the Geneva Convention, declare not to be a manufactured drug may be imported, exported, transported, possessed and sold without any restriction.

39. *Application of rules relaxed.*—The provisions of these rules shall not apply to the import, export, transport, possession or sale of the manufactured drugs specified below unless the quantity involved in any transaction or possessed at any one time exceeds one pound or 0.453 kilograms.

Methyl morphine, commonly known as codeine, and ethyle-morphine commonly known as diionine, and their respective salts preparations containing any of these substances and also liquid compounds consisting of a solution of any one of these in one or more inert fluids except such as are adopted to normal therapeutic use, i.e., except made up dry preparations, pharmacopoeial or proprietary (pills, tablets, power, etc.,) which do not contain more than 0.1 gram of any of these substances, in one pill, one tablet or one powder associated with other medicinal substances and liquids consisting of a solution of any one of these substances not exceeding 10%.

XIII. *Appeals and Revisions.*

40. *Appeal.*—(1) For the purpose of these rules, the Assistant Commissioner shall be deemed to be subordinate to the Deputy Commissioner and the Deputy Commissioner shall be deemed to be subordinate to the Commissioner.

(b) All orders passed by the Assistant Commissioner under these rules shall be appealable to the Deputy Commissioner within sixty days from the date of the order complained of

(c) All orders passed by the Deputy Commissioner under these rules shall be appealable to the Commissioner within ninety days from the date of the order complained of :

Provided that no appeal shall lie against an order passed by the Commissioner.

(2) (a) Every appeal shall be made in the form of a petition addressed to the authority to whom the appeal lies, and shall be drawn up in concise and intelligible language, and shall bear the signature or mark of the appellant or of his duly authorised agent and shall also bear the court fee stamp of the requisite amount fixed under the Court Fees Act, 1870 as adapted in Rajasthan.

(b) The petition of appeal shall contain the following particulars :—

- (i) the name, father's name, occupation any place of residence or address of the appellant;
- (ii) the date of the order appealed against;
- (iii) a brief and precise statement of the facts; and
- (iv) the grounds of objection to the order appealed against.

(c) The petition shall be accompanied by the order appealed against in original or an authenticated copy thereof, unless the omission to produce such order or its copy, as the case may be, is explained at the time of the presentation of the petition of appeal to the satisfaction of the appellate authority.

(3) the petition of appeal shall either be presented to the appellate authority by the appellant or his agent or be forwarded to such authority by registered post.

(4) If the petition of appeal does not comply with the requirements of sub-rule (2) and (3) it may summarily be rejected :

Provided that no appeal shall be rejected under this sub-rule unless the appellant is given such opportunity, as the appellate authority thinks fit, so as to enable him to comply with the requirements of the said rules.

(5) (a) If the appellate authority does not reject the appeal under sub-rule (4) it shall fix a date for hearing the appellant or his agent :

Provided that the appellate authority may at any stage adjourn the hearing of an appeal to any other date.

(b) On the date fixed for hearing the appeal or on the date to which the hearing has been adjourned, the appellate authority may decide the appeal after perusing the record and hearing the appellant, provided that if on the date fixed for hearing or on any other date to which the hearing may be adjourned, the appellant does not appear before the said authority either in person or through an agent, the said authority may dismiss the appeal in default or may decide it on merits.

(6) A copy of the order passed in appeal shall be supplied to the appellant or the person affected thereby on an application made in this behalf and on payment of the prescribed fees and another copy shall be sent to the Officer whose order forms the subject matter of the appeal.

41. *Revision.*—The State Government may on any application or otherwise call for and examine the record of any proceedings before any Excise Officer, including those relating to the grant of a licence or permit or pass granted or applied for under these rules, for the purpose of satisfying itself as to the correctness, legality or

propriety of any order passed and as to the regularity of such proceedings and may either amend, reverse, modify or confirm such order or pass such other order as it may deem fit.

XIV. *Coca leaf*

42. *Prohibition* —The import, export, transport, possession or sale of Coca leaf is prohibited throughout the State.

EXCISE & TAXATION DEPARTMENT

Form D. D. 1 [Vide Rule 30 (a)]

Licence for the manufacture and/or possession and sale otherwise than on prescription of manufactured drugs by dealers.

Number of licence.

Name and description of the person licenced.

His residence.

His place of business.

Licence is hereby granted to the person described above (hereinafter called the licensee) to manufacture and/or possess and sell otherwise than on prescription manufactured drugs from the date of this licence to the 31st day of march, 196 , subject to the following conditions :—

CONDITIONS

1. The licensee shall be bound by the provisions of the Dangerous Drugs Act, 1930, the Rajasthan Dangerous Drugs Rules, 1960 and any additional, general or special rules and orders of the Commissioner which may be made or passed from time to time.

2. This licence extends :—

- (i) to the manufacture of medicinal opium from opium which the licensee is lawfully entitled to possess,
- (ii) to the manufacture of any preparation containing morphine, diacetyl-morphine or cocaine from morphine diacetyl morphine or cocaine which the licensee is lawfully entitled to possess, and/or
- (iii) to the possession and sale otherwise than on prescription of manufactured drugs.

3. The licensee shall not have in his possession at any one time :—

- (a) Opium derivatives other than prepared opium containing in the aggregate not more than* of either morphine or diacetyl-morphine or both.
- (b) Coca derivatives containing in the aggregate not more than* of cocaine.
- (c) Medicinal hemp up to* in the case of extract and* in the case of tincture.

- (d) Any other narcotic substance declared to be a manufactured drug up to*.... ..

(Note*—to be filled in at the time of issue of license)

In the case of preparations and admixtures of coca derivatives and opium derivatives, the limit shall be fixed with reference to the cocaine and morphine contents respectively, and not with reference to the quantity or bulk of the preparations and the bottles, phials, packages or other containers of the preparations or labels affixed to them shall plainly exhibit the actual quantity of the dangerous drugs present in each container or sufficient particulars to admit of the ready calculation of such quantity.

The licensee shall purchase all manufactured drugs to be sold under this license from a dealer in manufactured drugs licensed under the Rajasthan Dangerous Drugs Rules, 1960, or under the corresponding rules for the time being in force in any part of India, or in accordance with condition 14, or import such drugs from abroad in accordance with the rules issued under section 7 of the Dangerous Drugs Act, 1930, by the Central Government. He shall not receive or have in his possession manufactured drugs, obtained otherwise than as permitted under this condition.

4. The licensee shall not manufacture, possess, or sell manufactured drugs in virtue of this license, at any place except his place of business specified above. Manufactured drugs shall be kept in special locked receptacles, the key of which shall be in the hands only of the licensed dealer or of his qualified assistant.

5. The licensee shall not be a party to the transport of any manufactured drugs other than prepared opium from one licensed dealer's shop to another or to any licensed chemist's shop in Rajasthan unless it is covered by an authorisation granted by the Assistant Commissioner of the District to which the transport is made or by the licensed dealer from whose shop the drugs are transported.

6. The licensee shall on requisition by the Assistant Commissioner or any other officer duly authorised by him, deliver up his licence for amendment or for the issue of a fresh licence.

7. The licensee shall maintain true accounts of all transactions in Form D.D. 7 showing in respect of each receipt the source of supply and the quantities received and in respect of each issue, the quantity issued and the name and address of the person to whom it is issued. The accounts shall show separately the quantity of opium used in the manufacture of medicinal opium and the quantity of morphine, diacetyl-morphine, or cocaine used in the manufacture of preparations containing morphine, diacetyl-morphine or cocaine. Such accounts shall be preserved for not less than two years from the date of the last entry in the accounts.

8. The licensee shall furnish periodically to the Assistant Commissioner, such statistics as he may require from time to time in such manner and within such time as may be specified by him in this behalf.

Note (1).—The licensee shall furnish at the end of each quarter to the Inspector of Excise Statistics in the form of an abstract of his D. D. 7 accounts showing for each quarter (a) the opening balance, (b) total receipts, (c) total issues and (d) the closing balance under the main heads of drugs. He shall also furnish within a week after the end of each calendar year, an abstract of transactions during the preceding year and the stocks held by him in balance on the last day of the year.

Note (2).—The licensee shall as far as possible see that the quantities of manufactured drugs to be imported by him from outside India in a calendar year do not exceed the estimate of such imports furnished by him for that calendar year to the Excise Officers for purpose of Permanent Central Opium Board Returns No. N. D. S 4 (Import requirements of dangerous drugs) and No. N. D. S. 3 (Estimates regarding imports of raw materials from the foreign countries) prescribed by the Government of India Narcotics Department. If he finds by the end of August of the calendar year that the quantities imported so far from outside India have exceeded the estimates furnished by him for that year or that the total imports from outside India in that year are likely to exceed the estimates furnished for that year he shall furnish a supplementary estimate for the quantity of the drugs imported or to be imported from outside India in excess of the original estimates to the Inspector of Excise of the Circle by the 15th August of that year. The quantities of the drugs to be shown in the estimate should be expressed in terms of total drug content and not bulk weight.

9. The licensee shall file in support of his account of receipts, the customs receipts for duty paid or the invoices of supplies obtained otherwise than by import by sea and in support of his accounts of issues a receipt from each person to whom an issue is made or the order on which such issue is made. Accounts of transactions under this licence shall be kept separate from those maintained by him under any other licence. At the end of each month totals should be struck showing separately the issues to (a) licensees including approved practitioners who hold licences and (b) approved practitioners and others authorised to possess manufactured drugs without a licence.

10. Stocks of manufactured drugs and all accounts and records of transactions under this licence shall be opened to inspection :—

- (a) in case the licensee is an approved practitioner by an officer of the Excise or the Police Department not below the rank of Inspector, and

- (b) in the case of other licensees by an officer of the Excise Department not below the rank of Inspector or by an officer of the Police Department not below the rank of Sub-Inspector.

11. An inspection note book with pages numbered consecutively shall be maintained for the use of inspecting officers and shall be handed over to the Excise Inspector or to the Inspector of Publics as the case may be or to any officer authorised by either of them to receive it on a receipt being given therefor. The book shall be preserved in good condition and handed over to the Excise Inspector or to the Police Sub-Inspector as the case may be at the end of the period for which the licence is in force.

12. In case of breach of any of the conditions of the licence, the Assistant Commissioner may cancel or suspend the licence :

Provided that whereupon an application made in this behalf the Assistant Commissioner is satisfied that the breach is of minor nature, he may condone such breach upon payment by the licensee of a sum of money not exceeding rupees two hundred.

13. The cancellation or suspension of the licence or condonation of the breach under the foregoing condition shall not operate as a bar to prosecution for any offence which may have been committed under the Dangerous Drugs Act, 1930.

14. The licensee shall be bound to purchase in such quantity not exceeding that which is likely to sell or use in two months and at such rates as the Assistant Commissioner may direct any raw opium or manufactured drugs that may be delivered up to the Assistant Commissioner by any other licensee whose licence has expired or has been cancelled or suspended.

15. All preparations containing not more than 0.2 per cent of morphine or 0.1 per cent of cocaine and any preparation which the Central Government may by notification in the Gazette of India made in pursuance of a finding under Article 8 of the Geneva Convention declared not to be a manufactured drug may be imported, exported, transported possessed and sold without restriction.

16. The licensee shall be responsible for the acts and omissions of every person appointed to officiate for him in carrying on the business of the said shop and of all his servants as if the said acts and omissions were his own.

Dated the..... day of..... 19....
Station.

Assistant Commissioner of Excise.

EXCISE & TAXATION DEPARTMENT

Form D. D. 2 [Vide Rule 30 (b)].

Licence for the manufacture, possession and sale of prescription of manufactured drugs by chemists and approved practitioners.

Number of licence.

Name and description of the person licensed.

His residence.

His place of business.

License is hereby granted to the person described above (hereinafter called the licensee) to manufacture and/or possess and sell on prescription manufactured drugs from the date of this license to the 31st day of March, 196 , subject to the following conditions :—

CONDITIONS.

1. The licensee shall be bound by the provisions of the Dangerous Drugs Act, 1930, the Rajasthan Dangerous Drugs Rules, 1960 and any additional, general or special rules which may be made from time to time.

2. This licence extends :—

- (1) to the manufacture of medicinal opium from opium which the licensee is lawfully entitled to possess,
- (2) to the manufacture of any preparation containing morphine, diacetyl-morphine or cocaine from morphine, diacetyl-morphine or cocaine which the licensee is lawfully entitled to possess, and
- (3) to the possession and sale on prescription of manufactured drugs.

3. The licensee shall not have in his possession at any one time —

- (a) Opium derivatives other than prepared opium containing in the aggregate not more than *of either morphine or diacetyl-morphine or both.
- (b) Coca derivatives containing in the aggregate not more than *of cocaine.
- (c) Medicinal hemp up to *in the case of extract and *in the case of tincture.
- (d) Any other narcotic substance declared to be a manufactured drug up to L.

He shall obtain his supplies of drugs from a licensed dealer in the State of Rajasthan or from a dealer licensed under the corresponding rules for the time being in force in any other part of India or by manufacture from drugs which he is lawfully entitled to possess subject to the provisions of condition 2 of this licence. The licensee shall not receive or have in his possession drugs otherwise obtained. He may possess raw opium up to *for the manufac-

ture of medicinal opium and shall obtain his supplies of such opium from Government Opium and Alkaloid Works, Gazipur only. In the case of imports of manufactured drugs from any part of India outside the State of Rajasthan, the licensee shall first apply to the Assistant Commissioner stating the name and address of the firm from which he wishes to purchase the drugs, the description of the drugs with their bulk weight and drug contents and obtain an import authorization before he indents for the drugs. If the Assistant Commissioner is satisfied that the drugs are required solely for medicinal purposes and that the licensee is authorised to possess the quantity of the drugs required he will grant an import authorization.

Note—To be filled in by the licensing authority.

Note.—The licensee may obtain his supplies of manufactured drugs by import from places outside India subject to the rules published under section 7 (2) of the Dangerous Drugs Act, 1930, by the Government of India in their Notification No. 1 (Dangerous Drugs) dated 18th February, 1933

Solid pharmaceutical compounds (pills, tablets, etc.) containing not more than 0.1 gramme of either codeine or dionine associated with other medicinal substances are exempt from import-certificate system and can be imported from outside India without restriction. Similarly liquid compounds containing not more than 10 per cent or either of these substances are exempt from import certificate system, provided such compounds do not consist of a solution of either of these substances in one or more inert fluids :

Provided in the case of import from the United Kingdom of any preparations, admixture or other substance (except Syrups codeine Phosphatis B. P. C. 1934) containing any proportion of methyl-morphine (codeine) or ethyl-morphine (dionine) associated with any inert substance whether solid or liquid or any preparation, admixture or other substance containing more than 2.5 percent of methyl-morphine or ethyl-morphine (calculated as pure drug) associated with any other medicinal substance an import certificate shall be obtained from the Excise Commissioner and forwarded to the exporting firm. No import authorization will at present be required to secure the admission of such preparation into India.

4. (a) The licensee shall not manufacture, possess or sell manufactured drugs in virtue of this licence at any place except his place of business specified above. Manufactured drugs shall be kept in special locked receptacles the key of which shall be in the hands only of the licensed chemist or of his qualified assistant.

(b) If the licensee is an approved practitioner, he may carry with him from place to place manufactured drugs in quantities not exceeding those specified in condition 3 above.

5. The licensee shall on requisition by the Assistant Commissioner or any other officer duly authorised by him deliver up his licence for amendment or for the issue of a fresh licence.

6. The licensee shall maintain true accounts of all transactions in Form D. D. 7 showing in respect of each receipt the source of supply and the quantity received and in respect of each issue the quantity issued, the name and address of the person to whom it is issued and the name of the practitioner on whose prescription it is issued. The accounts shall show separately the quantity of opium used in the manufacture of medicinal opium and the quantity of morphine, diacetyl-morphine or cocaine used in the manufacture of preparations containing morphine, diacetyl-morphine or cocaine. Such accounts shall be preserved for not less than two years from the date of the last entry in the accounts. Accounts of transactions under this licence shall be kept separate from those maintained by him under any other licence.

7. The licensee shall, before the seventh day of each calendar month furnish to the Assistant Commissioner or any other officer authorised by him a copy of the entries made by him in form D. D. 7 during the preceding calendar month. The licensee shall also furnish periodically such other statistics as may be required from time to time.

Note (1).—The licensee shall furnish at the end of each quarter to the Inspector of Excise Statistics in the form of an abstract of his accounts showing for each quarter (1) the opening balance, (2) total receipts, (3) total issue and (4) the closing balance under the main heads of drugs.

Note (2).—The licensee shall as far as possible, see that the quantities of manufactured drugs to be imported by him from outside India in a calendar year do not exceed the estimates of such imports furnished by him for that calendar year to the Excise Officers for purposes of the permanent Central Opium Board Returns No. N.D.S. 4 (import requirements of dangerous drugs) and N.D.S.3 (Estimates regarding imports of raw material from foreign countries) prescribed by the Government of India Narcotic Department. If he finds by the end of August, of the calendar year that the quantities imported so far from outside India have exceeded the estimates furnished by him for that year or that the total import from outside India in that year are likely to exceed the estimates furnished for that year he shall furnish a supplementary estimate for the quantity of drugs imported or to be imported from outside India in excess of the original estimates, to the Inspector of Excise of the circle by the 15th August of that year. The quantities of the drugs to be shown in the estimate should be expressed in terms of total drug content and not bulk weight.

8. The licensee shall file in support of his accounts of receipts the customs receipts for the duty paid or the invoices of supplies obtained otherwise than by import by sea, and, in support of his accounts of issues copies of the prescriptions on which such issues are made.

9. Stocks of manufactured drugs and all accounts and records of transactions under this licence shall be opened to inspection by an officer of the Excise or Police Department not below the rank of Inspector.

10. An inspection note book with pages numbered consecutively shall be maintained for the use of inspection officers and shall be handed over to the Excise Inspector or the Inspector of Police as the case may be or to any officer authorised by either of them to receive it on a receipt being given therefor. The book shall be preserved in good condition and handed over to the Excise Inspector at the end of the period for which the licence is in force.

11. In case of breach of any of the conditions of the licence, the Assistant Commissioner may cancel or suspend the licence :

Provided that whereupon an application made in this behalf the Assistant Commissioner is satisfied that the breach is of minor nature, he may condone such breach upon payment by the licensee of a sum of money not exceeding rupees two hundred.

12. The cancellation or suspension of the licence or condonation of the breach under the foregoing condition shall not operate as a bar to prosecution for any offence which may have been committed under the Dangerous Drugs Act, 1930.

13. The licensee shall be bound to purchase in such quantity not exceeding that which he is likely to sell or use in two months and at such rates as the Assistant Commissioner may direct any raw opium or manufactured drugs that may be delivered up to the Assistant Commissioner by any other licensee whose licence has expired or has been cancelled or suspended.

14. All preparations containing not more than 0.2 per cent of morphine or 0.1 per cent of cocaine and any preparation which the Central Government may by notification in the Gazette of India made in pursuance of a finding under Article 8 of the Geneva Convention declare not to be a manufactured drug may be imported, exported, transported, possessed and sold without restriction.

15. The licensee shall be responsible for the acts and omissions of every person, appointed to officiate for him in carrying on the business of the said dispensary and of all his servants as if the said acts and omissions were his own.

Dated theday of.....19 .

Place :

Assistant Commissioner.

EXCISE & TAXATION DEPARTMENT

Form D. D. 3 [Vide Rule 6 (2)]

Special authorization to approved practitioners for the possession of coca derivatives for use in the exercise of their profession but not for sale.

Dr..... is hereby authorised to possess coca derivatives containing not more than grains of cocaine for use in the exercise of his profession in his dispensary situated at..... in the Tehsil of..... in the district of..... in the division of.....

This authorization which is granted free of charge will hold good up to the 31st March, 196 and is issued subject to the following conditions :—

1. That the authorization holder shall be bound by the provisions of the Dangerous Drugs Act, 1930, and any general or special rules prescribed of which may from time to time be prescribed thereunder.

2. That the authorization holder shall purchase the quantity of coca derivatives required by him from a dealer in manufactured drugs licensed under the Rajasthan Dangerous Drugs Rules, 1960, or under the corresponding rules in force in any other part of India and shall not receive or have in his possession any such drug obtained otherwise. In the case of preparations and admixtures, the limit shall be fixed with reference to the cocaine contents and not with reference to the quantity or bulk of preparation and the bottles, phials, packages or other containers of these preparations of labels affixed to them shall plainly exhibit the actual quantity of the dangerous drug present in each container or sufficient particulars to admit of the ready calculation of such quantity.

3. That the authorization holder shall file and preserve all prescriptions for one year and shall maintain accounts in the form prescribed hereunder.

4. That this authorization shall be returned to this office on the 1st April, 19 or on the date of its cancellation, whichever is earlier.

5. That this authorization is liable to be cancelled at any time during its currency for a breach of its conditions or of any provisions of the Dangerous Drugs Act, 1930 or any of the rules prescribed thereunder.

Dated the.....day of19....

Place :

Assistant Commissioner,

Form of Accounts of coca derivatives to be kept by Medical Practitioners who have been granted Special authorisation for the possession of coca derivatives for use in the exercise of their profession.

| | Coca derivative powder | Coca derivative tablets | Coca derivative solution | REMARKS. |
|--|------------------------------|-------------------------------|--------------------------------|---|
| | Ozs.Grs. | Ozs.Grs. | Ozs.Grs. | |
| Opening balance | | | | Name of persons from whom and the dates on which purchased |
| Purchased during the month. | | | | |
| Used during the month. | | | | |
| Closing balance carried to next month | | | | |

FORM DD 4
(vide rule 32)

Authorization for the Export of Manufactured Drugs
from the Rajasthan State to any other State in
India.

I.

(To remain in the office of issue)

Mr./Messrs*
hereby authorised to export the undermentioned
drugs to Mr./Messrs.†
by†
in§

Mr./Messrs*
hereby authorised to export the undermentioned
drugs to Mr./Messrs.†
by†
in§

(To be handed over to the consignor to accompany the
consignment).

II.

(To be handed over to the consignor to accompany the
consignment).

| Exact desc- ription of the drug. | Total quantity of the drug to be exported. | Percentage of the drug con- tents | Remarks. | Total quantity of the drug to be exported. | Percentage of the drug con- tents. | Remarks. |
|--|--|---|----------|--|--|----------|
|--|--|---|----------|--|--|----------|

This authorization will remain in force up to, the
evening of 196 . The bulk of the consignment shall not
be broken in transit.

Dated 196 .

Asstt. Commissioner.

Dated.....196 .

Asstt. Commissioner.

*Name and full address of consignor.
†Name and full address of consignee.
Route and mode of conveyance.
Number and description of packages.

*Name and full address of consignor.
†Name and full address of consignee.
Route and mode of conveyance.
Number and description of packages.

FORM DD 4
(vide rule 32)

Authorization for the Export of Manufactured Drugs
from the Rajasthan State to any other State in
India.

FORM DD 4
(vide rule 32)

Authorization for the Export of Manufactured Drugs from the Rajasthan State to any other State in India.

III

(To be forwarded to the authority of the place of import)

Mr./Messrs*

hereby authorised to export the undermentioned drugs to Mr./Messrs.†

by†
in§

is/are

hereby authorised to export the undermentioned drugs to Mr./Messrs.†

by†
in§

Mr./Messrs*

hereby authorised to export the undermentioned drugs to Mr./Messrs.†

is/are

hereby authorised to export the undermentioned drugs to Mr./Messrs.†

FORM DD 4
(vide rule 32)

Authorization for the Export of Manufactured Drugs from the Rajasthan State to any other State in India.

IV

(To be issued in the case of despatch of drugs by parcel post and handed over to the consignor for production at the post Office of despatch.)

Mr./Messrs*

hereby authorised to export the undermentioned drugs to Mr./Messrs.†

is/are

hereby authorised to export the undermentioned drugs to Mr./Messrs.†

| Exact desc- ription of the drug. | Total quantity of the drug to be exported. | Percentage of the drug con- tents. | Remarks. |
|--|--|--|----------|
|--|--|--|----------|

This authorization will remain in force up to the evening of 196 . The bulk of the consignment shall not be broken in transit.

Dated..... 196 .

Asstt. Commissioner.

*Name and full address of consignor.

*Name and full address of consignor.

†Name and full address of consignee.

†Name and full address of consignee.

This authorization will remain in force up to the evening of 196 . The bulk of the consignment shall not be broken in transit.

Dated..... 196 . Asstt. Commissioner.

*Name and full address of consignor.

†Name and full address of consignee.

FORM DD 5.
(vide rule 31)

Authorization for import of manufactured drugs into the Rajasthan State from any other State in India.

PART III.

(To be handed over to the importer to accompany the consignment).

Mr.*/Messrs. is/are hereby authorised to import the undermentioned drugs from Mr./Messrs.†

| Exact description of the drug | Total quantity of the drug to be imported. | Percentage of the drug contents. | Remarks. |
|-------------------------------|--|----------------------------------|----------|
|-------------------------------|--|----------------------------------|----------|

FORM DD 5.
(vide rule 31)

Authorization for import of manufactured drugs into the Rajasthan State from any other State in India.

PART II.

(To be forwarded to the authority of the place of export).

Mr.*/Messrs. is/are hereby authorised to import the undermentioned drugs from Mr./Messrs.†

| Exact description of the drug | Total quantity of the drug to be imported. | Percentage of the drug contents. | Remarks. |
|-------------------------------|--|----------------------------------|----------|
|-------------------------------|--|----------------------------------|----------|

FORM DD 5.
(vide rule 31)

Authorization for import of manufactured drugs into the Rajasthan State from any other State in India.

PART I

(To remain in the office of issue)

Mr.*/Messrs. is/are hereby authorised to import the undermentioned drugs from Mr./Messrs.†

| Exact description of the drug | Total quantity of the drug to be imported. | Percentage of the drug contents. | Remarks. |
|-------------------------------|--|----------------------------------|----------|
|-------------------------------|--|----------------------------------|----------|

*Name and full address of the importer.
†Name and full address of the exporter.

*Name and full address of the importer.
†Name and full address of the exporter.

| | | |
|--|--|--|
| his authorization must be used within one month from the date of its issue. | This authorization must be used within one month from the date of its issue. | This authorization must be used within one month from the date of its issue. |
| This authorization shall be delivered on arrival of the drugs at their destination to* | The bulk of the consignment shall not be broken in transit. | This authorization shall be delivered on arrival of the drugs at their destination to* |
| The bulk of the consignment shall not be broken in transit. | | The bulk of the consignment shall not be broken in transit. |
| <i>Dated the</i> 196 . | <i>Dated the</i> 196 . | <i>Dated the</i> 196 . |
| <i>Asstt. Commissioner.</i> | <i>Asstt. Commissioner.</i> | <i>Asstt. Commissioner.</i> |

* *Designation of the Officer to whom the pass is to be delivered.*

FORM DD 6.
(*vide rule 33*)

Authorization for the Transport of Manufactured Drugs within the Rajasthan State.

COUNTERFOIL.

To remain attached to book.

FORM DD 6.
(*vide rule 33*)

Authorization for the Transport of Manufactured Drugs within the Rajasthan State.

DUPLICATE.

(To be forwarded to the authority of the place from which the drugs are to be transported.)

* *Designation of the Officer to whom the pass is to be delivered.*

FORM DD 6.
(*vide rule 33*)

Authorization for the Transport of Manufactured Drugs within the Rajasthan State.

TRIPLICATE.

(To be handed over to the applicant to accompany the consignment.)

Mr.*/Messrs. is/are Mr.*/Messrs is/are
 hereby authorised to transport to § hereby authorized to transport to §
 from* from*
 the undermentioned drugs :— the undermentioned drugs :—

| Exact descrip- tion of the drug | Total quantity of the drug to be trans- ported | Percentage of the drug contents. | Remarks. | Exact descrip- tion of the drug to be trans- ported. | Total quantity of the drug to be trans- ported. | Percentage of the drug contents. | Remarks. |
|--|--|---|----------|---|---|---|----------|
|--|--|---|----------|---|---|---|----------|

*Name of the person or firm authorised. *Name of the person or firm authorised.
 §Locality and district of destination of consignment. §Locality and district of destination of consignment.
 *Name and full address of the firm supplying the drugs. *Name and full address of the firm supplying the drugs.
 This authorization must be used within one month from the date of its issue. This authorization must be used within one month from the date of its issue.

Dated 196 . (Signatures)

Excise Authority at the place to which the drug is to be transported.

Dated 196 . (Signatures)

Excise authority at the place to which the drug is to be transported. This authorization is to remain in force up to the evening of 196 .

Dated 196 . (Signatures)

Excise authority at the place to which the drug is to be transported. This authorization is to remain in force up to the evening of 196 .

The drug covered by it shall be conveyed intact by*

in †

Dated.....196 . (Signatures)

in †

Dated.....196 . (Signatures)

Excise Authority at the place from which the drug is to be transported.

Excise Authority at the place from which the drug is to be transported.

*Route and mode of conveyance.

†Number and description of Packages.

*Route and mode of conveyance.

§Number and description of Packages

FORM D.D. 7.

(Rule 25, 26)

Form of accounts to be maintained bylicensees.

Opium derivatives other than prepared opium

Medicinal Opium (from col. (2) to (12))

Particulars
Month of transac-
tion and
date. tion recei-
pls, issues,
total
balance, etc.

(1)

(1-a)

(2)

(3)

(4)

(5)

(6)

(7)

(8)

Raw opium. Bulk weight. Drug con- Bulk weight. Drug con-
tents. tents.

Lb. Oz. Gr. Lb. Oz. Gr. Lb. Oz. Gr. Lb. Oz. Gr. Lb. Oz. Gr. Lb. Oz. Gr.

Opium derivatives other than prepared opium—*Contd.*

Opium in the form of tinctures, extracts and such other preparations containing more than 0.2 percent of morphine as are made direct from opium from column. (13) to (18).

| Particulars | Total | | | |
|---|------------------------------------|--------------------------------|---------------------------------|-------------------------|
| | Bulk weight. | Drug conts. | Bulk weight. | Drug conts. |
| Month of transac- and tion recei- Date. pts issues, total, balance etc. | (9) (10) Lb. Oz. Gr. Oz. Gr. | (11) (13) L. O. G. L. O. | (13) (14) Oz. Gr. Oz. Gr. | (15) (16) Oz. Gr. |

Opium in the form of tinctures, extracts and such other preparations containing more than 0.2 percent of morphine as are made direct from opium.

Morphine, pure morphine, salts of morphine, and such preparations containing more than 0.2 percent of morphine as are made direct from morphine from column (19) to (57).

| Particulars | Total | | | |
|---|-------------------------------------|-------------------------------------|-------------------------------------|----------------------------------|
| | Bulk weight. | Drug conts. | Bulk weight. | Drug conts. |
| Month of transac- and tion recei- Date pts, issues, total balance, etc. | (16) (17) Oz. Gr. Lb. Oz. Gr. | (18) (19) Oz. Gr. Lb. Oz. Gr. | (19) (20) Lb. Oz. Gr. Oz. Gr. | (21) (22) Oz. Gr. L. G. O. |

Opium derivatives other than prepared opium.—*Contd.*

| Particulars | Total | | | |
|---|--------------------------------|-----------------------------------|---------------------------------|-------------------------------------|
| | Bulk weight. | Drug conts. | Bulk weight. | Drug conts. |
| Month of transac- and tion recei- Date. pts issues, total balance, etc. | (23) (24) O. G. L. O. G. | (25) (26) O. G. Lb. Gr. Oz. | (26) (27) Oz. Gr. Oz. Gr. | (28) (29) Lb. Oz. Gr. Oz. Gr. |

Morphine, pure morphine, salts of morphine and such preparations containing more than 0.2 percent of morphine as are made direct from morphine—*Contd.*

Opium in the form of tinctures, extracts and such other preparations containing more than 0.2 percent of morphine as are made direct from opium.

Opium derivatives other than prepared opium.—*Contd.*

| Month and Date. | Particulars of transactions receipts, issues etc. | | | | | |
|-----------------|--|--------------------------|-------------------------|-------------------------------------|-----------------|------------------------------|
| | Diacetyl-morphine (Diamorphine, heroin), pure diacetyl-morphine, salt of diacetyl-morphine and all the preparations containing diacetyl-morphine.— <i>Contd.</i> | | | | | |
| | | | | | | Total |
| | Drug conts.(78) | Bulk weight (79) Oz. Gr. | Drug conts (80) Oz. Gr. | Bulk weight (81) conts (82) Oz. Gr. | Drug conts.(84) | Crude cocain. (85) Lb.Oz Gr. |

Coca derivatives from column 85 to 107

| Month and Date. | Particulars of transactions, receipts, issues, etc. | | | | | | |
|-----------------|--|----------------------|----------------------|---------------------|---------------------|----------------------|----------------------|
| | Cocaine in the form of pure cocaine, salts of cocaine and such other preparations containing more than 0.1 percent of cocaine as are made direct from cocaine. | | | | | | |
| | Cocaine pure. | | | | | | |
| | Egonimo. (86) | Bulk weight. (87) | Bulk weight. (88) | Drug conts. (89) | Drug conts. (90) | Bulk weight. (91) | Bulk weight. (92) |
| | Lb.Oz.Gr. | Lb.Oz.Gr. | Lb.Oz.Gr. | Oz. Gr. | Lb Oz.Gr. | Lb.Oz.Gr. | Lb.Oz.Gr. |

Coca derivatives — *Contd.*

| Month and Date. | Particulars of transactions, receipts, issues, total balance etc. | Cocaine in the form of pure cocaine, salts of cocaine and such other preparations containing more than 0.1 per cent of cocaine as are made direct from cocaine.— <i>Contd.</i> | |
|-----------------|---|--|--|
| | | | |
| | | Drug conts. Bulk weight. Drug conts. Bulk weight. Drug conts. Bulk weight. Drug conts. | |
| | | (93) (94) (95) (96) (97) (98) (99) | |
| | | Lb.Oz.Gr. Lb.Oz.Gr. Oz.Gr. Lb.Oz.Gr. Oz.Gr. Oz.Gr. Lb. Oz. Oz Gr. | |

Coca derivatives.—*Contd.*

| Month and Date. | Particulars of transactions, receipts, issues, total balance etc. | Cocaine in the form of such—preparations containing more than 0.1 per cent of cocaine as are made direct from coca leaves. | |
|-----------------|---|--|-------|
| | | | |
| | | Total | Total |
| | | Bulk weight Drug conts. Bulk weight. Drug conts. Bulk weight. Drug conts. Bulk weight. | |
| | | (100) (101) (102) (103) (104) (105) (106) | |
| | | Lb.Oz.Gr. Lb.Oz.Gr. Lb.Oz.Gr. Lb.Oz.Gr. Lb.Oz.Gr. Lb.Oz.Gr. Lb.Oz.Gr. | |

Medicinal hemp
from Col. 108 to 111

Other narcotic substances
declared to be manufac-
tured drugs.
From Col. 112 to 191

| Month and Date. | Particulars of transactions, receipts, issues, total balance etc. | Extract of hemp. Tincture of hemp. | |
|-----------------|---|---|--|
| | | | |
| | | Drug conts. Bulk weight. Drug conts. Bulk weight. Drug conts. Bulk weight. Drug conts. Bulk weight. | |
| | | (107) (108) (109) (110) (111) (112) (113) | |
| | | Lb.Oz.Gr. Lb.Oz.Gr. Lb.Oz.Gr. Lb.Oz.Gr. Lb.Oz.Gr. Lb.Oz.Gr. Lb.Oz.Gr. | |

Other narcotic substances declared to be manufactured drugs.

| Month and Date. | Particulars of transactions, receipts, issues, etc. | Bulk weight. (114) | Bulk weight. (115) | Bulk weight. (116) | Bulk weight. (117) | Bulk weight. (118) | Bulk weight. (119) |
|-----------------|---|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
| | | Lb. Oz. Gr. | Lb. Oz. Gr. | Lb. Oz. Gr. | Lb. Oz. Gr. | Lb. Oz. Gr. | Lb. Oz. Gr. |

| Month and Date. | Particulars of transactions, receipts, issues, etc. | Number and date of customs receipts for duty paid on cases of imports by sea and invoice number and date in the case of supply obtained otherwise. | To whom sold; number and name of the licence-holder and name and address in the case of others. | Name of the practitioners on whose prescription the issue is made. |
|-----------------|---|--|---|--|
| | | (120) | (121) | (122) |

By Order of the Governor.

RAM SINGH,

Secretary to the Government

NOTIFICATIONS UNDER DANGEROUS DRUGS ACT, 1930 (Central Act II of 1930)

Published in Raj. Raj-patra Dated September 17, 1955 part I (b) at page 161 :

NOTIFICATION Jaipur, August, 27, 1955.

No. F. 37 (2) SR/53.—In pursuance of the provisions of section 23 (i) of the Dangerous Drugs Act, 1930 (II of 1930), the Government of Rajasthan is pleased to authorise the following officers to exercise the powers given under section 23 of the aforesaid Act, namely:—

| <i>Department</i> | <i>Rank of officers</i> |
|--|--|
| 1. Excise and Taxation Department of Rajasthan | All officers of the rank of an Inspector and above. |
| 2. Police Department of Rajasthan | All officers of the rank of a Sub-Inspector and above. |
| 3. Revenue Department Rajasthan | All officers of the rank of a Tehsildar and above. |
| 4. Narcotics Department, Government of India | All officers of the rank of an Inspector and above. |

By Order of
His Highness the Rajpramukh,
G. S. PUROHIT,
Secretary to the Government.

Published in Raj. Raj-patra Dated September 24, 1955 part I (b) at page 456 :
Jaipur, September 10, 1955.

No. F. 37 (2) S.R./53.—In exercise of the powers conferred by section 22 of the Dangerous Drugs Act, 1930 (No. II of 1930) the Government of Rajasthan is hereby pleased to empower the officers of the Excise and Taxation Department, Rajasthan of the rank of an Assistant Commissioner and above and all Magistrates of the Class II in Rajasthan to issue a warrant of arrest and search under the aforesaid provision.

By Order of
His Highness the Rajpramukh
G. S. PUROHIT.
Secretary to the Government

Published in Raj. Raj-patra Dated May 30, 1957 part IV (c) at page 79 :
Jaipur, May 7, 1957.

No. F. 37 (1) SR/53.—In exercise of the powers conferred by section 23 of the Dangerous Drugs Act, 1930 (Act II of 1930), the State Government does hereby authorise with effect from the date of publication of this notification in the Rajasthan Gazette, the following officers of the State of Uttar Pradesh to exercise within the District of Bharatpur the powers under sections 23 and 24 of the said Act subject to the condition that the persons arrested and things seized shall be immediately handed over to the Excise Inspector of the Circle concerned, namely:—

1. Assistant Excise Commissioner, Agra Charge.
2. Assistant Excise Commissioner, Excise Intelligence Bureau, Allahabad.
3. Excise Inspectors of—
 - (a) Agra and
 - (b) Mathura Districts.

4. Excise Inspectors, Excise Intelligence Bureau, Allahabad.

By Order of the Governor,

G. S. PUROHIT,

Secretary to the Government

Published in Raj. Raj-patra Dated June 5, 1958 part IV (c) at page 340 :

Jaipur, January 29, 1958.

No. F. 37 (1)/SR/53/III.—In exercise of the powers conferred by section 23 of the Dangerous Drugs Act, 1930 (Act II of 1930) the Government of Rajasthan does hereby authorise with effect from the date of publication of this notification in the Rajasthan Gazette, the following officers of the State of Punjab to exercise within the districts of Rajasthan shown against them respectively the powers under sections 23 and 24 of the said Act subject to the condition that the persons arrested and things seized shall be immediately handed over to the Excise Inspector of the Circle concerned, namely:—

Officers

Districts of Rajasthan.

1. Excise & Taxation Officer, the Assistant Excise & Taxation Officer, Excise Inspector and Excise Sub-Inspector, Excise staff of Intelligence Bureau not below the rank of Sub Inspector posted in

- (a) Hisar District
- (b) Gurgaon District
- (c) Ferozpur
- (d) Mahendargarh

- (a) Ganganagar, Churu and Jhunjhunu
- (b) Alwar and Bharatpur
- (c) Ganganagar
- (d) Sikar, Jhunjhunu and Alwar.

By Order of the Governor,

G. S. PUROHIT,

Secretary to the Government.

Published in Raj. Raj-patra Dated December 11, 1958 part IV (c) at page 1256 :

Jaipur, November 27, 1958-

No. F. 37 (1) SR/53/B.—In exercise of the powers conferred by section 23 of the Dangerous Drugs Act, 1930 (Act II of 1930) the State Government does hereby authorise with effect from the date of publication of this notification in the Rajasthan Gazette, the following officers of the State of Uttar Pradesh to exercise within the District of Bharatpur the powers under section 23 and 24 of the said Act subject to the condition that the persons arrested and things seized shall be immediately handed over to the Excise Inspector of the Circle concerned, namely:—

1. Assistant Excise Commissioner, I/C Charas and Ganja Squada, U. P., Allahabad, and
2. Superintendent of Excise, Ganja Squad, Western Zone, Aligarh.

Notifications under

DANGEROUS DRUGS ACT, 1930.

Published in *Raj. Raj-patra part IV (c) February 18, 1960 at page 1205*

Jaipur, November 23, 1959.

No.D. 6774/58 F. 37 (1) SR/53-III.—In exercise of the powers conferred by section 23 of the Dangerous Drugs Act, 1930 (Act II of 1930), and in supersession of the notification No. F. 37 (1) SR/53/III. dated the 18th January, 1958, the Government of Rajasthan does hereby authorise with effect from the date of publication of this notification in the Rajasthan Gazette, the following officers of the State of Punjab to exercise within the districts of Rajasthan shown against them respectively, the powers under section 23 and 24 of the said Act subject to the condition that the persons arrested and things seized shall be immediately handed over to the Excise Inspector of the Circle concerned, namely:—

Officers

Districts of Rajasthan

1. Excise and Taxation Officer,
the Assistant Excise and
Taxation Officer, Excise Ins-
pector & Excise Sub-Inspe-
ctor posted in—

(a) Hisar District

(b) Gurgaon District

(c) Firozpur District

(d) Mahendargarh District

2. Staff of the Excise Intelli-
gence Bureau not below the
rank of Excise Sub-Inspe-
ctor & Police Sub-Inspector

(a) Ganganagar, Churu and
Jhunjhunu Districts

(b) Alwar & Bharatpur Distts.

(c) Ganganagar District

(d) Sikar, Jhunjhunu & Alwar
District

Ganganagar, Churu, Alwar,
Sikar, Jhunjhunu and Bharat-
pur Districts

Published in *Raj. Raj-patra part IV (c) dated July 14, 1960 at page 126*

Jaipur, May 26, 1960.

No. D. 1597/60/F. 37 (1) SR/53.—In exercise of the powers conferred by section 23 of the Dangerous Drugs Act, 1930 (Central Act II of 1930) and in supersession of this Department Notification No. F. 37 (2) SR/53, dated the 27th August, 1955, the State Government hereby authorises the under mentioned Officers of the Excise, Police, Revenue and Narcotics and Central Excise Department to exercise all or any of the powers under the said section:—

(i) All Officers of the Excise Department of and above the rank of Inspector;

(ii) All Officers of the Police Department of and above the rank of Sub-Inspector;

(iii) All Officers of the Revenue Department of and above the rank of Naib-Tehsildar;

(iv) All Officers of the Narcotics Department of the Government of India of and above the rank of Kothi Moharrir;

(v) All Officers of the Central Excise Department of and above the rank of Sub-Inspector.

Rules and Notifications under

DEFENCE OF INDIA ACT, 1962.

Rajasthan Conditions of Detention Defence of India Order, 1962

HOME 'A' DEPARTMENT

NOTIFICATION

Jaipur, December 26, 1962.

No. F. 7 (5) Home (A-Gr. 1/62—In exercise of the powers conferred by sub-rule (4) of rule 30 of the Defence of India Rules, 1962, the State Government hereby determines as follows the conditions of detention of persons ordered under the said rules to be obtained in any prison in Rajasthan, namely:—

1. *Short title and application.*—(1) This Order may be called the Rajasthan Conditions of Detention Defence of India Order, 1962.

(2) It shall apply to all persons ordered to be detained in Rajasthan by an order under clause (b) of sub-rule (1) of rule 30 of the Defence of India Rules, 1962:

Provided that the Government may by order direct that the provisions of this Order shall apply in relation to any detenu of any class of detainees with such modifications as may be specified in the Order.

2. *Definitions.*—In this Order, unless the context otherwise requires.—

(a) "detenue" means any persons detained in Rajasthan by an order under clause (b) of sub-rule (1) of rule 30 of the Defence of India Rules, 1962;

(b) "Government" means the Government of the State of Rajasthan;

(c) "Inspector General" means the Inspector General of Prisons, Rajasthan;

(d) "Jail" means any prison as defined in section 3 of the Prisons Act, 1894 (Central Act 9 of 1894) of the Central Legislature as adapted to, or in force in, any area of Rajasthan.

(e) "Prisoner" means a person, other than a detenue, duly committed to, confined or detained in a Jail;

(f) "the Rules" means the Defence of India Rules, 1962 made under section 3 of the Defence of India Ordinance, 1962;

(g) "Superintendent" means the officer appointed to be the Superintendent of Jail and includes any person who for the time being is acting as Superintendent.

3. *Classification*—The detenues shall be classified as class I or class II detenues according to the state of their health and their education, status and mode of living before arrest.

(2) The classification of each detainee shall be made by the authority passing the order of detention:

Provided that where the District-Magistrate classifies a detainee as class I detainee, the classification will be provisional and subject to confirmation by the Government.

(3) Subject to the other 'provisions of this Order, detenues of classes I and II shall ordinarily be treated in the same manner as may for the time being be prescribed respectively for B and C class prisoners.

4. *Custody and procedure*.—(1) A detainee shall ordinarily be removed and detained in any of the jails in Rajasthan specified for the purpose by the Government.

(2) The detenues shall be kept in cells or association wards preferably the latter and allowed to associate freely with each other, but as far as possible, shall be kept separate from ordinary prisoners:

Provided that—

(a) if the number of detenues of the same class is large, they may be divided into homogenous groups,

(b) the Superintendent may detain any detainee separately if he considers it desirable on grounds of health or for any other reason.

5. *Diet*.—The detenues of class I and II shall be entitled to the same diet as is prescribed for prisoners of class B and C respectively:

Provided that the detenues of both classes may, with the permission of the District Magistrate, be permitted to receive food from private sources to the same extent and same manner as civil prisoners.

6. *Clothing and bedding*.—Each detainee may wear his own clothes and his relations may, if permitted so to do by his Superintendent, send him extra clothing and bedding. Each detainee who is unable to provide sufficient clothing and bedding shall be supplied with such clothing and bedding on the same scale as a civil prisoner of the corresponding class.

(2) A detainee shall be allowed to bring his own feeding utensils but if for any reason he is unable to do so, the Superintendent shall allow him such utensils as are admissible to a B or C class prisoner according as he is a class I or class II detainee respectively.

7. *Searches*.—Every detainee and his cell or ward shall be searched not less than once a week and oftener if the Superintendent consider it necessary, by such Jail officer not below the rank of

a Head-warder as detailed by the Superintendent. Special precaution shall be taken to make the searches through and the fact of the search shall be noted in the Jailor's note book. Detenues shall be searched before and after interview and at any other time if the Superintendent considers it necessary. In conducting the search of the detainee privacy shall be observed and care shall be taken to avoid humiliation.

8. *Supply of funds.*—(1) A detainee may, with the previous sanction of the detaining Authority, receive from a specified relative or friend, at intervals of not less than a month, an amount not exceeding Rs 20/ per month if he is a class I detainee and Rs.10/- per month if he is a class II detainee and may spend the amount or a similar sum from his private funds on such object and in such meaning as may be permissible under the rules. In cases in which for want of funds any detainee is compelled to do without small amenities which his fellow detainees enjoy, such amenities may, if considered absolutely necessary by the Superintendent, be supplied to him at Government cost.

(2) All funds so received shall be kept by the Superintendent and spent by him on behalf of the detainee.

(3) Amounts in excess of those prescribed in sub-clause (1) may be received by the Superintendent on behalf of detainees but they shall not be spent in any month beyond the limits laid down in the said sub-clause.

9. *Furniture and toilet articles.*—The detainee shall be supplied furniture and toilet articles to the same extent as may for the time being be prescribed respectively for B and C class prisoners.

10. *Interviews.*—(1) Save in accordance with an order of the State Government in writing, no detainee shall be permitted to have an interview with any person other than a police officer.

(2) Every detainee may be allowed to have an interview with his relatives or friends—

(a) In the case of class I detainees, once in two months, and

(b) In the case of class II detainees, once in three months, during his period of detention.

(3) Interview with relatives, i. e., wife, husband, father, mother, brother, son, daughter, uncles, aunts and children of brothers and sisters shall be limited to an hour's duration and those with others except with the legal practitioners to half-an-hour and with the legal practitioners to such period as may be determined by the Government.

(4) All interviews shall take place in the presence of an officer not below the rank of a Sub inspector deputed for the purpose

by the Inspector General of Police, Rajasthan and such officer may stop the interview if the conversation turns on any undesirable subject and may also report the matter to the Superintendent who may inflict any of the punishments enumerated in clause 15, subject to this provision the place and mode of interview shall be determined by the Superintendent.

(5) The Superintendent shall maintain a statement of all interviews between a detainee and his relatives or other persons with the names of the persons present at each interview.

11. *Police interviews.*—Subject to the directions of the Government, the Inspector General of Police, Rajasthan, may, by general or special order, authorise any police officer to interview any detainee.

12. *Correspondence and censorship* —(1) Detenues of class I and II shall ordinarily be permitted to write respectively four and two letters each and receive as many as they like, every week.

(2) No detainee shall write a letter to any other detainee, and not more than one letter shall be enclosed in one envelope except with the special permission of the Superintendent. All correspondence to and from a detainee shall be confined to purely domestic matters, or subjects relating to the welfare of the detainee and his near relatives. Letters containing references to communal or political matters or to matters which are prejudicial to the efficient conduct of military operations, the defence of India and civil defence or the public safety or interest shall be withheld as laid down in sub-clause (4).

(3) No letters, news-papers or other communications, shall be transmitted to or from a detainee except through the Superintendent or such other officer as the Government may, by general or special order, designate in this behalf.

(4) All letters to and from detainee shall be persued by the Superintendent and, subject to any general or special order of the Government, shall be submitted by the Superintendent direct to the Inspector general of Police, Rajasthan, who may at his discretion withhold them.

(5) Detenues shall be allowed to read book from the Jail library. They shall be allowed to get books from outside at their own expense provided the books are of a non-political character and approved by the senior police officer of the district concerned. Detenues may be permitted to buy such news-papers, periodicals and magazine as may be approved by the Government.

(6) Where in the opinion of the Superintendent—

(a) any news-paper or periodical contains any matter prejudicial to the efficient conduct of military operations, the defence of India and civil defence or the public safety or interest, or

(b) any communication made to or intended to be delivered to, a detainee contains any matter which is objectionable from the point of view of maintenance of Jail discipline, he shall delete the same or mark it for deletion while forwarding it to the proper authority.

(7) Every letter forwarded to or from a detainee shall be initialed and dated by the officer who handles the letter.

(8) Where in the opinion of the Superintendent, the urgency of the contents of a telegram justify telegraphic transmission thereof, a detainee may be allowed to send telegraphic messages; all telegrams to and from Government shall be forwarded direct provided that the Chief Secretary to Government shall always be an intermediary in correspondence with the Central Government; telegrams to and from private individuals shall pass through police censorship in the absence of special orders of the Government to the contrary.

(9) Detainees shall attach to all their outgoing correspondence (including telegrams) a slip containing the full name and address and relationship, if any, of the addressee, and of each person mentioned in the letter or telegram. These slips shall be sent to the Inspector General of Police, Rajasthan, or other officer designated by the Government in this behalf, who if he considers that the writer should not be allowed to correspond with the addressee, shall inform the Superintendent accordingly for his further guidance.

13 *Certain communications of detainees who are members of the Legislature.*—Notwithstanding anything contained in clause 14, no communication between a detainee who is a member of a House of Legislature in India and the Speaker or Chairman of that House or the Chairman of the Committee of privileges set up by that house shall be withheld, so long as it relates to the rights, powers and privileges of the detainee as such member, or transmits a starred or unstarred question to be put in the House;

Provided that, in forwarding any such communication from a detainee who, having been elected or nominated to a House of Legislature, has not complied with the requirements of Article 99 or Article 183 of the Constitution of India, the attention of the Speaker or Chairman, as the case may be, shall be drawn to such non-compliance

14. *Writing material*—All detainees shall be supplied writing material at their own expenses, provided that the supply of paper shall be subject to the following conditions:—

(1) It shall be supplied in small quantities at a time and shall before delivery to the detainee be numbered and Jail stamp affixed to it; and

(2) An additional lot shall not be supplied unless the paper already supplied is produced or is found to have been properly used.

15. *Offences and punishments.*—(1) A detainee—

(i) shall reside in the accommodation allotted by the Superintendent whether in an association ward or a cell,

(ii) shall not proceed beyond the limits of the Jail save with permission of the Superintendent given by general or special order in this behalf,

(iii) shall obey the orders of the Superintendent issued from time to time for the comfort, safety and health, or for the discipline, orderly conduct and control, of detainees,

(iv) shall attend roll-call and answer to his name in person at such time and place within the Jail as may be appointed by the Superintendent,

(v) shall conform to the standards of cleanliness and dress laid down by the Superintendent,

(vi) shall not do anything wilfully with the object of affecting his own bodily welfare,

(vii) shall not have in his possession any coin, currency note or negotiable instruments, any weapons, sticks, razors, other than a safety razor, pieces of iron or any other articles which may be used as a weapon,

(viii) shall not exchange or sell any of his kit, equipments, cloths, furniture or other possession, and

(ix) shall not refuse to take the prescribed diet.

(2) Any detainee who contravenes any of the provision or sub-clause (1) or refuses to obey any order issued thereunder, or does any of the following acts, namely:—

(i) assaults, insults, threatens, or obstructs any prisoner, or detainee or any officer of the Jail or any other Government servant or any person employed in or visiting the Jail, or

(ii) quarrels with any person in the Jail, or

(iii) is guilty of indecent, immoral or disorderly conduct,
or

(iv) communicates or attempts to communicate with any person outside the Jail in any unauthorised manner, or

(v) bribes or attempts to bribe any Government servant or any person employed in or visiting the Jail, or

(vi) commits any nuisance or wilfully defouls any well, latrine, washing, or bathing places, or

(vii) disobeys the orders of, or shows disrespect to any officer of the Jail, or

(viii) wilfully damages any property belonging to Government or tempers with any locks, lamps or lights in the Jail, or

(ix) receives, possesses or transfers any article in contravention of an order of the Superintendent, or

(x) feigns illness, or

(xi) wilfully brings a false accusation against any officer of the Jail prisoner or detainee; or

(xii) omits or refuses to report, as soon as it comes to his knowledge, the occurrence of any fire, any plot or conspiracy, any escape, attempt or preparation to escape and any attack or preparation for attack upon any officer of the Jail, or

(xiii) abets the commission by a prisoner or detainee of any of the foregoing acts, or

(xiv) omits or refuses to help any officer of the Jail in the case of an attempted escape on the part of any of the prisoner or detainee, shall be deemed to have committed a Jail offence.

(3) (a) Where upon such enquiry as he thinks fit to make, the Superintendent is satisfied that a detainee is guilty of a Jail offence, he may award the detainee one or more of the following punishments:—

(i) Confinement in a cell for a period not exceeding days;

(ii) Reduction or alteration of diet for a period not exceeding fourteen days;

(iii) Cancellation or reduction, for a period not exceeding two months of the concession of receiving funds from outside;

(iv) Cancellation or reduction, for a period not exceeding two months, of the privileges of writing and receiving letters or of receiving newspapers and books;

(v) Cancellation or reduction, for a period not exceeding two months, of the privileges of having interviews;

(vi) Cancellation of the privilege of wearing his own cloths.

(b) If any detainee is guilty of a Jail offence which, by reason of having frequently been committed or otherwise, is in the opinion of the Superintendent not adequately punishable by him under the provisions of sub-clause 3 (d) he may forward such detainee to the Court of a Magistrate of the first class having jurisdiction, and such Magistrate shall thereupon inquire into and try the charges so brought against the detainee and upon conviction shall sentence him to imprisonment for a term not exceeding one year:

Provided that where the act constituting the offence constituting the offence constitutes an offence punishable under the Indian Penal Code with imprisonment for a term exceeding one year, nothing in this clause shall preclude the detainee from being tried and sentenced for such offence in accordance with the provisions of the Indian Penal Code.

(4) The Superintendent may use or require to be used such force as may in his opinion be necessary to compel obedience on the part of any detainee to any lawful order issued by him.

16. *Retention of watches.*—The detainees shall be allowed to keep their watches with them in the Jail but no responsibility for their safety will be taken by the Government.

17. *Recreation.*—The detainees shall be allowed to play volley ball and badminton if there is room in the Jail for this and the number of detainees warrants.

They shall be allowed to play indoor games like chess and playing-cards at their own expense.

18 *Smoking.*—The detainees shall be allowed to smoke cigarettes at their own expenses.

19. *Non-official visitors* —Non-official visitors, appointed by the Government, may visit the detainees also.

20. *Application or representations* —(1) The Superintendent shall forward through the Inspector General, with such observations as he may think fit any representation which a detainee may submit to the Government.

(2) The Superintendent shall forward to the Government without delay any petition which a detainee may address to it:

Provided that when the application or representation is addressed to a court, it will be forwarded to that court by the Superintendent direct.

22. *Transfer of detainees to civil hospital in emergent cases* —
(1) in cases where it is necessary to remove a detainee to a civil hospital outside the Jail for operative or other special treatment which cannot conveniently be given in the Jail itself, the orders of the Government shall be obtained. In emergent cases the Superintendent is authorised to anticipate the sanction of the Government, but he should make an immediate report of all cases in which he avails himself of the authority. The Superintendent should ask the Inspector General of Police, Rajasthan, to make arrangements for guarding these detainees during their stay in the hospital. For the purpose of Jail discipline, the Superintendent should depute a Jail official to see that the provisions of the Order are properly observed.

(2) In respect of a detainee detained in a hospital under subsection (1), the preceding provisions of the Order shall apply, as far as may be, as if—

(a) all references to the Jail were references to the Hospital, all

(b) all reference to the Superintendent were references to the Principal Medical Officer or the Medical Officer-in-charge of the hospital, as the case may be.

23. *Miscellaneous.*—(1) All particulars relating to detainees shall be entered (without serial number) in the register of civil prisoners and all statistics of detainees shall be shown separately in Jail returns.

(2) A copy of the Order shall be shown to the detainees on their arrival in a Jail.

(3) Such other local instructions as may be necessary for the guidance of Jail officers may be issued by the Inspector General in consultation with the Government.

24. *Detention.*—A detainee who is transferred from the State of Rajasthan to any other State shall be detained in the Jail of that State and shall be governed by the Rules for the time being in force in that State to which he is transferred.

By Order of the Governor,
SHIV SHANKER,
Secretary to the Government.

Exhibition of Price Lists of Goods Order, 1962

Food and civil Supplies Department.

NOTIFICATION

Jaipur, December 8, 1962

No. F. 1 (8) CSD/62.—In exercise of powers conferred by sub-rule (2) of rules 125 of the Defence of India Rules, 1962, the State Government hereby makes the following Order, namely:—

1. *Short title and commencement.*—(1) This Order may be called the Exhibition of Price Lists of Goods Order, 1962.

(2) This Order shall come into force on the 15th day From date of publication of this order in the official Gazette.

2. *Definitions.*—(i) “dealer” means a person carrying on the business of selling in goods, whether wholesale or retail;

(ii) “goods” means the goods specified in schedule; and

(iii) “Schedule” means the Schedule appended to this Order.

3. *Exhibiting price list.*—(1) Every dealer in goods shall exhibit at some prominent place on the premises a price list of goods held for sale.

(2) A price list of goods required to be exhibited under sub-clause (1):

(a) shall be exhibited in plain and legible writing in Hindi language written in Devnagri script;

(b) shall indicate the prices of different varieties or classes of goods; and

(c) shall bear the signature of dealer.

Explanation:—In this clause, the expression “writing” includes printing, lithography and other modes of representing or reproducing words in a visible form.

SCHEDULE

(See clause 3)

Goods to which this Order applies.

1. Tyres and tubes for cycles.
2. Battery cells.
3. Blades.
4. Soap flakes.
5. Electric bulbs.
6. Tea.
7. Match boxes.

By Order of the Governor,
BALWANT SINGH,
Secretary to the Government.

Defence of India Act, 1962

Published in Raj. Raj-patra part IV (c) dated December 18, 1962 at pages 575

Cabinet Secretariat
(Emergency Section)

NOTIFICATION

Jaipur, December 17, 1962.

No. F. 3/DS/FM/62/1023.—In exercise of the powers conferred by sub section (2) of section 40 of the Defence of India Act, 1962 the State Government hereby directs that the powers or duties conferred or imposed on the State Government under various provisions of the Government under provisions of the Defence of India Rules, 1962 as shown in the Table given below, shall, subject to any general or special direction of the State Government, be also exercised or discharged, within their respective jurisdiction, by the officers mentioned in their juxtaposition.

THE TABLE

| Number of rule of Defence of India Rules, 1962 under which power delegated. | Powers delegated | Officer to whom delegated. |
|---|---|----------------------------|
| 1 | 2 | 3 |
| 6(1) | Power to accord permission to enter, or be on or in, or pass over, any prohibited place. | District Magistrate. |
| 6(2) | Power to make orders for regulating conduct of such persons. | „ |
| 6(3) | Power to authorise search or detention of persons and vehicles, vessels, aircrafts or any article brought in by such persons. | „ |
| 7 | Power to declare any place or class of places to be protected places. | |
| 8(1) | Power to declare any area to be a protected area. | |

- | | | |
|---------|--|--|
| 8(2) | Power to grant permit to non-residents and specify the terms and conditions of the permit. . | |
| 8(3) | Power to authorise search or detention of such persons. | „ |
| 13(1) | Power to prohibit or restrict:-- | „ |
| | (a) the use of any road, pathway, canal or waterway; | |
| | (b) the passage of any person, animal or vehicle over any land. | |
| 17(6) | Power to authorise any person to seize any wireless telegraphy apparatus. | Superintendent of Police, Dy. Superintendent of Police and all Magistrates I & II Class. |
| 18(1) | Power to require the person in possession or having the control of any wireless receiving apparatus in respect of which a commercial broadcast receiver licence is in force to use the same for the dissemination to the public of any matter. | District Magistrate. |
| 30(1) | Power to make an order with respect to any person— | District Magistrate. |
| Cl. (e) | (i) requiring him to notify his movements or to report himself or to do both; | |
| Cl. (f) | (ii) Imposing upon him any restrictions in respect of his employment or business, in respect of his association or communication with other persons, and in respect of his activities in relation to the dissemination of news or propagation of opinions; | |
| Cl. (g) | (iii) prohibiting or restricting the possession or use by him of any article or articles; | |
| Cl. (h) | (iv) Otherwise regulating his conduct. | |
| 31(1) | Power to direct any person in respect of whom an order has been made under the provisions of rule 30, to— | |

- | | | |
|-------|--|--|
| | (a) allow himself to be photographed; | Superintendent of Police. |
| | (b) allow his finger and thumb impression to be taken; | Dy. Superintendent of Police. |
| | (c) furnish specimens of his handwriting and signature; | " |
| | (d) attend before any authority or person for all or any of the aforesaid purposes. | " |
| 34(2) | Power to receive notice for change of name by any person and to pass necessary orders in respect thereof. | District Magistrate. Sub-Divisional Magistrate. |
| 45(1) | Power to.— | District Magistrate. |
| | (a) require any editor, publisher or other person in possession of any document containing any confidential information, any information likely to assist the enemy or prejudicial report to inform name and address of the person concerned in the supply or communication of such information or in the making of such report; | |
| | (b) provide for the safe keeping by the persons in possession of such document and copies thereof; | |
| | (c) require the delivery of such document and any copy thereof to any authority; | |
| | (d) prohibit the further publication, sale or distribution of such document or any extract therefrom or of any translation thereof, including, in the case of a newspaper or other periodical, the publication, sale or distribution of any subsequent issue thereof; | |
| | (e) declare such document and every copy or translation thereof or extract therefrom, to be forfeited to the Government. | |
| 48(1) | Power to control, dramatic performances. | District Magistrate |

- | | | |
|-------|---|--|
| 59(1) | Power to take possession of any premises to accommodate evacuated persons. | |
| 64(1) | Power to specify precautions to be taken against all hostile attack by land, sea or air. | District Magistrate. All I Class Magistrate. All Police Officers not below the rank of S. H. O. |
| 65(1) | Power to issue general or special order providing for watching of premises to detect fire requiring the occupiers of premises or empowering any authority, to make and carry out arrangements for prevention thereof. | ” |
| 65(3) | Power to authorise any person to enter and inspect any premises to ensure compliance of orders. | ” |
| 66(1) | (a) Power to issue orders requiring measures to be taken for dealing without break of fire. | ” |
| (3) | (b) Causing measures to be taken or completed and order recovery of cost thereof from such defaulter. | ” |
| (4) | (c) authorise any person to take or cause to be taken or to give directions for prevention of spread of fire. | District Magistrate, All I Class Magistrates, All Police Officers. not below the rank of S. H. O. |
| 68(1) | Power to issue orders, as respects any area prohibiting erection, extension or structural alteration of any building or class of buildings therein without Permission and to accord such Permission. | District Magistrate, Sub-Divisional Magistrate & City Magistrate |
| 69(1) | Power to require or authorise, Measures to be taken to make any premises less readily recognisable. | ” |

| | | |
|-------|--|--|
| 69(2) | Power to cause measures to be taken or completed at the cost of the defaulter. | „ |
| 69(3) | Power to permit to remove, alter or tamper with any work done. | „ |
| 71(1) | Power to require the owner or occupier of any premises in or on which any dangerous articles and substances are kept to take specified measures | District Magistrate. |
| 72(1) | Power to issue orders regarding maintenance of water supply. | District Magistrate, Sub-Divisional Magistrate. |
| (2) | Power to authorise inspection of source of such water supply. | Sub-Divisional Magistrate/ Tehsildar. |
| 73(1) | Power to require the owner of any premises to construct air-raid shelters | District Magistrate. |
| (2) | Power to authorise any person to inspect any such premises. | Superintendent of police/District Magistrate. |
| (3) | Power to cause the air-raid shelters constructed at the expense of the owner of the premises on his failure to construct or to complete within time. | District Magistrate. |
| 74(2) | Power to exempt air-raid shelters from municipal taxation. | Director of Local Bodies. |
| 75(1) | Power to require or authorise safety measures to be taken with respect to any premises. | District Magistrate. |
| 78(1) | Powers regarding control and display of lights and making of sounds. | District Magistrate & Magistrate I Class. |
| 79(1) | Powers regarding control of motor vehicles to render them incapable of use by unauthorised persons. | District Magistrate/Sub-Divisional Magistrate/City Magistrate. |
| 80(1) | Power to impose curfew. | District Magistrate. |
| 81(1) | Power to issue general or special order, prohibiting, restricting or | District Magistrate. |

imposing conditions on, the possession, carrying use, sale or other disposal of—

(a) arms or articles capable of being used as arms;

(b) ammunition;

(c) dangerous substances.

- | | | |
|--------|---|---|
| 84(2) | Power to require measures to be taken for the prevention or cessation of hartal. | District Magistrate. |
| (3) | Powers to require measures to be taken to secure that the place of employment shall be opened and shall remain open. | ” |
| 85(1) | Power to issue general or special order prohibiting, restricting or imposing conditions upon, the use or possession of any motor vehicle by a person. | District Magistrate/ Superintendent of Police. |
| 121(2) | Power to authorise any person to do any work on any land or place; anything in, on or over any land for purposes mentioned in the sub-rule. | District Magistrate. |
| (3) | Power to prohibit or restrict doing on any particular land of any work for purposes aforesaid. | |
| 122. | Power to authorise any person to require certain persons to do any work necessary to meet an actual or apprehended attack, or to repair or reduce the damage resulting therefrom or to facilitate offensive or defensive operations in the area. | District Magistrate. |
| 123. | Power to provide by a general or special order for salvage from premises damaged from military operations. | District Magistrate/Superintendent of Police. |
| 137(1) | Power to issue order requiring any person to furnish or produce to any authority or person any information or article in his possession which is considered necessary or expedient to be obtained or examined for purposes mentioned in the sub-rule. | ” |

By Order of the Governor,
B. MEHTA,
Chief Secretary to the Government.

Notification under

DEFENCE OF INDIA ACT, 1962

FOOD AND CIVIL SUPPLIES DEPARTMENT

Jaipur, October 26, 1966.

Notification No. F. 1 (3) Food/64.—In exercise of the powers conferred by sub-section (2) of section 40 of the Defence of India Act, 1962 (Central Act 51 of 1962), the State Government hereby rescinds this Department Notification No. F. 1 (3) Food/Sup., dated the 25 April, 1964, published in the Extraordinary issue of the Rajasthan Gazette, Part IV-C, dated the 25th April, 1964.

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 26.10.66—Page 421]

Rules and Notifications under

DEFENCE OF INDIA RULES, 1962.

Rajasthan Arms and Ammunition Control Order, 1965.

HOME (D) DEPARTMENT

Jaipur, September 22, 1965.

Notification No. F. 1 (55) Home (D)/65 —In exercise of the powers conferred by sub-rules (2) and (3) of Rule 125 of the Defence of India Rules, 1962, the State Government hereby makes the following Order, namely:—

1. Short title.—This Order may be called the Rajasthan Arms and Ammunition Control Order, 1965.

2. Commencement and Application.—This Order shall come into force immediately and shall apply to the districts of Ganganagar, Bikaner, Jodhpur, Jaisalmer, Barmer and Jalore, and to such other districts as the State Government may from time to time notify in the Official Gazette.

3. Definitions.—In this Order, unless there is anything repugnant in the subject or context:—

(a) "Controller" means the District Magistrate of the district or an Officer authorised by him to perform the duties assigned by this Order to the Controller;

(b) The words "Arms and Ammunition", "Fire Arms", "Company", "Dealer", shall have the meaning as assigned to them in the Indian Arms Act, 1959 and Indian Arms Rules made there under.

4. Power to direct sale.—The Controller may, by a written order, require any person holding stock of arms and ammunition to sell the whole or any part of the stock to such person or class of persons holding a valid license under the Arms Act and Rules made thereunder and in such circumstances as may be specified in the order.

5. Power to prohibit removal.—The Controller may order any Company or any dealer or any other person not to remove or permit the removal of any arms and ammunition whether sold or unsold from the premises of the Company or the dealer or such other person to any place outside such premises except with the written permission of the Controller.

6. Fixation of maximum prices.—The Controller may by a written order fix prices at which the arms and ammunition of different kinds and qualities may be sold by a Company or a dealer authorised to stock or sell such arms and ammunition under a license given under the Indian Arms Act, 1959 and the Rules made thereunder. In fixing the prices, the Controller will keep in view the prices at which the arms and ammunition are supplied to the Company or dealer and the transport charges etc. including reasonable profit thereon.

7. Acquisition.—No Company or dealer shall sell and no person acquire any arms and ammunition at price exceeding the price fixed, if any, under clause 5.

8. Power to obtain return etc.—In addition to any returns that may be required by the State Government or by the licensing authority under the Indian Arms Act, 1959 and the Rules made thereunder, the Controller may, with a view to securing compliance with this Order:—

(a) require any Company, dealer or any other person to furnish returns in respect of stocks, purchase sale or disposal of arms and ammunition in such forms as may be specified by the Controller;

(b) inspect or authorise any person to inspect any stocks of arms and ammunition held by Company or dealer or books or other documents belonging to or under the Control of any person;

(c) enter and search or authorise any person to enter and search, any premises, and seize or authorise any person to seize any stock of arms and ammunition in respect of which he has reason to believe that a contravention of this Order has been, or is being committed;

(d) require any Company or dealer or any other person to keep such books, accounts and other records regarding the stocks, sale or disposal of arms and ammunition.

9. Power to issue instructions.—The Controller may issue such instructions consistent with the provisions of this Order as may be necessary in carrying out the purposes of the Order.

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 22.9.65—Page 387]

Rajasthan Compensation for Requisitioning of Vehicles (Defence of India) Order, 1964

Notification No. F. 1 (9)/17/HB.—Gr. 1/64.—In exercise of the powers conferred by clauses (i), (ii) and (iii) of rule 111 of Defence of India Rules, 1962, the State Government hereby makes the following Order namely :—

1. Short title, extent and commencement.—(1) This Order may be called the Rajasthan Compensation for Requisitioning of Vehicles (Defence of India) Order, 1964;

(2) It shall extend to the whole of the State of Rajasthan;

(3) It shall come into force at once.

2. Interpretation.—In this Order, unless the context otherwise requires :—

(a) “cost price” means the price at which the owner has purchased the vehicle;

(b) “life-mileage” means the mileage specified in column 3 of the Schedule, for which a vehicle is expected to run profitably;

(c) “prescribed mileage” means the mileage prescribed in column 4 of the Schedule, for the run of the different types of vehicles mentioned in column 2 thereof, during a period of one year;

(d) “rule” means a rule of the Defence of India Rules, 1962;

(e) “Schedule” means the Schedule appended to this Order.

3. Mode of determination of Compensation.—In calculating compensation payable in respect of requisition of any vehicle,—

(a) interest on the cost price shall for the purpose of clause (i) of rule 111, be calculated at 6% simple interest per annum;

(b) the amount represented the depreciation of the vehicle during the period of its requisition shall, for the purpose of clause (ii) of rule 111, be calculated at the rate of $16\frac{2}{3}\%$ per annum on the cost price, provided the vehicle is run for the prescribed mileage during the period of requisition. If the mileage actually run during the period of requisition is more or less than the prescribed mileage, the depreciation shall be increased or decreased, as the case may be, proportionately;

(c) the amount for the loss of the use of the vehicle or of any profits that might have been earned but for the requisition shall be 3% of the cost price reduced by an amount on account of depreciation calculated at the same rate and in the same manner as specified in sub-clause (b) for the entire period for which the vehicle has been on the road after its last purchase.

SCHEDULE

| S.No. | Type of vehicle. | Life mileage. | Prescribed mileage. |
|-------|---|------------------|------------------------|
| 1 | 9 | 3 | 4 |
| 1. | Light vehicles (Motor cars, Jeeps, Station Wagons etc.)— | 80,000 | 13,300 |
| 2. | Medium vehicles Trucks upto 3 tons capacity | 1,00,000 | 16,600 |
| 3. | Heavy vehicles (above 3 tons capacity).... | 1,50,000 | 25,000 |

[Home B. Gr. I. Department Notification, date 8-4-1964, Published in Rajasthan Gazette, Extraordinary Part 4 (Ga) Pages 23 dated 8-4-54].

Rajasthan Conditions of Detention (Defence of India) Order, 1962

HOME 'A' DEPARTMENT

Jaipur, 15 June, 1965

Notification No. F. 7/1(28) Home (A-Gr. I)/65.—In exercise of the powers conferred by sub-rule (4) of rule 30 of the Defence of India Rules, 1962, the State Government hereby makes the following amendment in the Rajasthan Conditions of Detention (Defence of India) Order, 1962, namely:—

AMENDMENT

In rule 12 (4) of the said order, after the words "Inspector General of Police, Rajasthan" and before the words "who may at his discretion withhold them", the words "or such other police officer as may be directed by the Govt. by a Special order" shall be added. A proviso to rule 12 (4) shall also be added as below:—

"Provided that the Superintendents of the Jails need not send such letters to and from the detenus to the Inspector General of Police or such officer as may be indicated by the State Government which contain purely domestic matters and messages of Welfare".

[Pub. in Raj. Gaz. 4(Ga) — Dt. 22-7-65—Page 252]

Home 'A' Department

Jaipur, June 23, 1965.

Notification No. F. 7 (12) Home (A-Gr I)/63.—In exercise of the powers conferred by sub-rule (4) of rule 30 of the Defence of India Rules, 1962, the State Government hereby makes the following amendment to the Rajasthan Condition of Detention (Defence of India) Order, 1962, namely—

AMENDMENT

In the said order, after the existing clause 24 the following new clause shall be added; namely:—

"25—Conveyance arrangements—On their release, the detenus shall be given travelling expenses according to the scale laid down here-under, provided that their homes are not at the place of their release.

(i) Class I Detenu.—One II class fare/bus fare (Upper class if existing) plus Rs. 5/- per day for the day/days taken ordinarily in reaching his home including the day of his release.

(ii) Class II Detenu.—One III class fare/ordinary bus fare plus Rs. 3/- per day/days taken ordinarily in reaching his home including the day of his release.

Where the journey is to be performed by rail as well as by bus, fares of both, as indicated above, according to the journey performed, shall be paid."

[Pub. in Raj. Gaz. 4 (Ga)-Dated 22-7-65—Page 253]

HOME 'A' DEPARTMENT

Jaipur, January 19, 1966.

Notification No. F. 7 (2) Home (A. Gr. I)/63.—In exercise of the powers conferred by sub-rule (4) of rule 30 of the Defence of India Rules, 1962, the State Government hereby makes the following amendments to the Rajasthan Conditions of Detention (Defence of India) Order, 1962, namely :—

AMENDMENTS

In the said order : —

1. in sub-clause (3) of clause 10, —

(a) the word "and" occurring between the words "aunts" and "children of brothers and sisters" shall be deleted;

(b) after the words "children of brothers and sisters" the words "and any near relative" shall be added;

(c) for the words "to an hour's duration" the words "two hours duration" shall be substituted.

2. to sub clause (4) of clause 10, the following proviso shall be added, namely:—

"Provided that the interviews with the legal practitioners will be arranged in such a manner that they may be in the presence of, but out of the hearing of Jail/Police officials."

3. in sub-clause (1) of clause 12, —

(a) for the words "four and two letters" the words "six and three letters" shall be substituted;

(b) after the words "each" occurring in the third line the words on every Sunday and Thursday in a week" shall be inserted.

[Pub. in Raj. Gaz. 4 (Ga)-Dt. 3-3-66—Page 596]

Home (A) Department

Jaipur, October 13, 1965.

Notification No. F. 7 (2) Home 'A' (Gr. I)/63.—In exercise of the powers conferred by sub-rule (4) of rule 30 of the Defence of India Rules, 1962, the State Government hereby makes the following amendment to the Rajasthan Conditions of Detention (Defence of India) Order, 1962, namely :—

AMENDMENT

In the said Rules, to sub-rule (2) of rule 10, the following proviso shall be added, namely :—

"Provided that—

(i) a detenu of any class may be allowed to have one interview in every month with his family members;

(ii) before permitting any relative or friend of the detenu to have an interview with him. It shall be inquired from the detenu himself whether he likes to meet his relative or friend; and

(iii) the State Government may at its discretion allow more interviews to a detenu of any class as a special case whenever satisfied with the genuineness and necessity for allowing the same.

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 17-2-66,—Page 553]

**EXHIBITION OF PRICE' LIST OF GOODS
ORDER, 1962,**

Rescinded vide Industries 'A' Department Notification dated 23-9-66.

**RAJ. HUSKING MACHINES' (PROHIBITION OF OPERA-
TIONS) ORDER, 1966,**

Rescinded vide Food and Civil Supplies Department Noti-
fication dated 16-7-66.

**FOODGRAINS
RAJASTHAN COARSE GRAINS (PROHIBITION OF
EXPORT) ORDER, 1965**

Rescinded vide Food and Civil Supplies Department Noti-
fication dated 12-8-1966.

**RAJ. COARSE GRAINS (REGULATION OF DISTRI-
BUTION) ORDER, 1964**

Rescinded vide Food and Civil supplies Department Noti-
fication dated 31-12-1965.

**RAJ. FOODGRAINS (PREVENTION OF HOARDING)
ORDER, 1964**

Rescinded vide Food and Civil Supplies Department Noti-
fication dated 12-8-1966.

**RAJ. GRAM AND BARLEY (PROHIBITION OF
EXPORT) ORDER, 1965**

Rescinded vide Food and Civil Supplies Department Noti-
fication dated 12-8-66.

(2)

RAJ. RICE PROCUREMENT (LEVY)
ORDER 1965

Rescinded vide Food and Civil Supplies Department Notification dated 12-8-66.

RAJ. RICE PROCUREMENT (LEVY)
ORDER, 1966

Rescinded vide Food and Civil Supplies Department Notification dated 24-10-66.

Rajasthan Jowar, Maize, Bajra & Paddy Procurement (Levy) Order, 1965

Food & Civil Supplies Department

Jaipur, November 27, 1965.

ORDER

No. F. 17A (400) (E) Food/Sup./65.—In exercise of the powers conferred by sub-rules (2) and (3) of rule 125 of the Defence of India Rules, 1962, and of all other powers hereunto enabling and with the prior concurrence of the Central Government, the Government of Rajasthan hereby, makes the following Order, namely:—

NOTES

[Above Order Pub. in Raj. Raj-Patra Ex 4 (Ga)—Dt. 27.11 65—Page 831]

1. Title, extent and commencement.—(1) This Order may be called the Rajasthan Jowar, Maize, Bajra and Paddy Procurement (Levy) Order, 1965.

(2) It extends to the whole of the State of Rajasthan.

(3) It shall come into force with immediate effect.

2. Definitions.—In this Order, unless the context otherwise requires:—

(a) 'Grower' means every person who raises jowar, maize, bajra and paddy on land in his possession which he holds as tenant, mortgagee with possession or in any other capacity or in more than one such capacity;

(b) 'Holding' means the land or lands held by a grower ;

(c) 'Purchase Officer' means the Commissioner and/or Additional Commissioner, Food Supplies in Rajasthan for the whole of the State of Rajasthan and any other officer or institution authorised to function as Purchase Officer by the State Government or the Collector of the district.

(d) 'Purchase Price in relation to and variety of jowar, maize, bajra and Paddy means the price fixed for the purchase of such variety of jowar, maize, bajra and paddy by the State Government.

(e) 'Schedule' means a schedule appended to this Order.

(f) 'State Government' means the Government of the State of Rajasthan.

3. Levy on jowar, maize, bajra and paddy.—(1) Every grower shall, out of jowar, maize, bajra and paddy grown on his holding and held by him in stock, sell to the Purchase Officer at the Purchase price such quantity of jowar, maize, bajra and paddy as may be determined in accordance with the scales specified in Schedule I, II, III and IV respectively and until such sale is made the grower shall continue to hold such quantity of jowar, maize, bajra and paddy for and on behalf of the

2] Raj. Jowar, Maize, Bajra & Paddy Procurement (Levy) Order, 1965

State Government as if such quantity were sold out to the State Government as if such quantity were sold out to the State Government subject to any orders issued by it :

Provided that:—

- (i) If a grower has under cultivation both unirrigated and irrigated land, exemption will be worked out in the following manner by converting the irrigated area into unirrigated area :

JOWAR.—3 acres of irrigated land may be deemed to be equal to 4 acres of unirrigated land;

MAIZE.—2 acres of irrigated land may be deemed to be equal to 3 acres of unirrigated land;

BAJRA.—4 acres of irrigated land may be deemed to be equal to 5 acres of unirrigated land;

PADDY.—2 acres of irrigated land may be deemed to be equal to 3 acres of unirrigated land.

- (ii) If a grower more than one variety of foodgrains, the area under the principal foodgrains shall from the basis for exemption from levy in the above manner subject to the condition that the total area under cultivation of more than one leviable foodgrain does not exceed the exemption limit laid down for the principal foodgrain.

(2) Jowar, maize, bajra and paddy required to be sold under sub-clause (1) shall be delivered by the grower to the Purchase Officer or such other person as may be authorised in this behalf by the Purchase Officer, at such place and time as may be indicated by him.

(3) The State Government may by order notified in the official Gazette from time to time vary the scales referred to in sub-clause (1) of clause 3 of this Order.

Explanations—(i) For the purpose of this clause, jowar maize, bajra and paddy in the possession of the control of the grower immediately after it is harvested shall be deemed to be jowar, maize, bajra and paddy held in stock by the grower.

- (ii) In cases where these foodgrains are sown, with other grains but these foodgrains from the principal crop sown, the levy shall be charged on the entire cultivated area.

4. Grant of Certificate.—The Purchase Officer, after Purchasing the stock of jowar, maize, bajra and paddy from the grower under clause 3, shall grant a certificate specifying the quantity of jowar, maize, bajra and paddy purchased on behalf of Government.

5. Power of entry, search, seizure etc.—(1) The District Magistrate, any Magistrate, any Police Officer not below the rank of a sub-Inspector, District Supply Officer, Assistant District Supply Officer, Tehsildar, Naib-

Tehsildar, Enforcement Officer, Enforcement Inspector or any other Officer specially authorised by the State Government in that behalf may with such assistance, if any as he thinks fit.—

(a) require the owner, occupier or any other person in charge of any place, premises, vehicle or vessel in which he has reason to believe that any contravention of the provisions of this Order has been, is being or is about to be committed, to produce any book, accounts or other documents showing transactions relating to such contraventions.

(b) enter, inspect or break open, search any person, place, premises or receptacle, vehicle or vessel in which he has reason to believe that any contravention of the provisions of this Order has been, is being or is about to be committed.

(c) take or cause to be taken extracts from or copies of any documents showing transaction relating to such contraventions which are produced before him.

(d) search, seize and remove stocks of jowar, maize, bajra and paddy and receptacles, animals, vehicles, vessels, or other conveyance used in carrying the said jowar, maize, bajra and paddy in contravention of the provisions of this order, and thereafter take or authorise the taking of all measures necessary for securing the production of stocks of foodgrains and the receptacles, animals, vehicles, vessels or other conveyance so seized, in a court and for their safe custody pending such production.

(2) The provisions of sections 102 and 103 of the Code of Criminal Procedure, 1898 (Central Act 5 of 1898) relating to search and seizure shall, so far as may be, apply to searches and seizures under this clause.

6. Savings.—Nothing in this Order shall apply to the stocks of jowar, maize, bajra and paddy under the control of (a) the State Government or the Central Government; (b) any person or institution specified in this behalf by the State Government or the Commissioner and/or Additional Commissioner, Food Supplies.

7. Exemption.—The State Government may by general or special order exempt any grower or class of growers from the operation of all or any of the provisions of this order and may at any time suspend or cancel such exemption.

SCHEDULE I

[See clause 3 (1)]

JOWAR

| Class of grower. | Class of land. | Quantity of Jowar to be sold (for each crop) |
|---|----------------|--|
| 1. Persons who have grown jowar in an area up to and including four acres in the aggregate. | Unirrigated | Nil |

4] Raj. Jowar, Maize, Bajra & Paddy Procurement (Levy) Order, 1965

| | | |
|--|-------------|--|
| 2. Persons who have grown jowar in area of above four acres in extent but less than ten acres in the aggregate. | Unirrigated | At the rate of fifteen kilograms of jowar for every acre. |
| 3. Persons who have grown jowar in an area of ten acres and above. | Unirrigated | At the rate of forty kilograms of jowar for every acre. |
| 4. Persons who have grown jowar in an area up to and including three acres in the aggregate. | Irrigated | Nil |
| 5. Person who have grown jowar in an area of above three acres in extent but less than ten acres in the aggregate. | Irrigated | At the rate of twenty two kilograms of jowar for every acre. |
| 6. Persons who have grown jowar in an area of ten acres and above. | Irrigated | At the scale or sixty kilograms of jowar for every acre. |

SCHEDULE II (See clause 3 (1)) MAIZE

| Class of grower | Class of land | Quantity of maize to be sold (for each crop). |
|--|---------------|---|
| 1. Persons who have grown maize in an area up to and including three acres in the aggregate. | Unirrigated | Nil. |
| 2. Persons who have grown maize in an area of above three acres in extent but less than five acres in the aggregate. | Unirrigated | At the rate of twenty kilograms for every acre. |
| 3. Persons who have grown maize in an area of five acre and above. | Unirrigated | At the rate of sixty kilograms for every acre. |
| 4. Persons who have grown maize in an area up to and including two acres in the aggregate. | Irrigated | Nil. |

- | | | |
|--|-----------|---|
| 5. Persons who have grown maize in an area of above two acres in extent but less than five acres in the aggregate. | Irrigated | At the rate of thirty kilograms for every acre. |
| 6. Persons who have grown maize in an area of five acres and above. | Irrigated | At the rate of ninety kilograms for every acre. |

SCHEDULE III
(See clause 3 (1))
BAJRA

| Class of grower 1 | Class of land 2 | Quantity of Bajra to be sold (for each crop) 3 |
|--|--------------------|---|
| 1. Persons who have grown bajra in an area up to and including five acres in the aggregate. | Unirrigated | Nil |
| 2. Persons who have grown bajra in an area of above five acres in extent but less than ten acres in the aggregate. | Unirrigated | At the rate of seven and a half kilograms for every acre. |
| 3. Persons who have grown bajra in an area of ten acres and above in extent but less than twenty acres. | Unirrigated | At the rate of ten kilograms for every acre. |
| 4. Persons who have grown bajra in an area of twenty acres and above. | Unirrigated | At the rate of twenty kilograms for every acre. |
| 5. Persons who have grown bajra in an area up to and including four acres in the aggregate. | Irrigated | Nil. |
| 6. Persons who have grown bajra in an area of above four acres in extent but less than ten acres in the aggregate. | Irrigated | At the rate of eleven and a quarter kilograms for every acre. |
| 7. Persons who have grown bajra in an area of ten acres and above in extent | Irrigated | At the rate of fifteen kilograms for every acre. |

but less than twenty acres
in the aggregate.

8. Persons who have grown bajra in an area of twenty acres and above. Irrigated At the rate of thirty kilograms for every acre.

SCHEDULE IV

[See clause 3 (1)]

PADDY

| Class of grower | Class of land | Quantity of paddy to be sold (for each crop) |
|--|---------------|---|
| 1 | 2 | 3 |
| 1. Persons who have grown paddy in an area up to and including three acres in the aggregate. | Unirrigated | Nil. |
| 2. Persons who have grown paddy in an area of above three acres in extent but less than five acres in the aggregate. | Unirrigated | At the rate of twenty kilograms for every acre. |
| 3. Persons who have grown paddy in an area of five acres and above. | Unirrigated | At the rate of sixty kilograms for every acre. |
| 4. Persons who have grown paddy in an area up to and including two acres in the aggregate. | Irrigated | Nil. |
| 5. Persons who have grown paddy in an area of above two acres extent but less than five acres in the aggregate. | Irrigated | At the rate of thirty kilograms for every acre. |
| 6. Persons who have grown paddy in an area of five acres and above. | Irrigated | At the rate of ninety kilograms for every acre. |

Food and Civil Supplies Department

ORDER

Jaipur, December 17, 1965.

No. F. 17 A (400) (E) Food/Sup./65.—In exercise of the powers conferred by sub-clause (3) of Clause 3 of the Rajasthan Jowar, Maize, Bajra and Paddy procurement (Levy) Order, 1965, the State Government hereby orders that Schedules I, II, III and IV, appended to the said Order shall be substituted by the following Schedules with immediate effect.

SCHEDULE I

[See Clause 3 (1)]

JOWAR.

| Class of grower | Class of land | Quantity of jowar to be sold (for each crop) |
|---|---------------|---|
| 1 | 2 | 3 |
| 1. In respect of the first six acres of the area in which jowar is grown. | Unirrigated | Nil |
| 2. In respect of the next four acres of the area in which jowar is grown. | Unirrigated | At the rate of thirty kilograms for every acre. |
| 3. In respect of the remaining area in which jowar is grown. | Unirrigated | At the rate of ninety kilograms for every acre. |
| 4. In respect of the first four and a half acres of the area in which jowar is grown. | Irrigated | Nil |
| 5. In respect of the next five and a half acres in which jowar is grown. | Irrigated | At the rate of thirty-eight kilograms for every acre. |
| 6. In respect of the remaining area in which jowar is grown. | Irrigated | At the rate of one hundred five kilograms for every acre. |

SCHEDULE II

[See Clause 3 (1)]

MAIZE

| Class of grower | Class of land | Quantity of maize to be sold (for each crop) |
|---|---------------|--|
| 1 | 2 | 3 |
| 1. In respect of the first four and a half acres of the | Unirrigated | Nil |

area in which maize is grown.

- | | | |
|---|-------------|--|
| 2. In respect of the next one and a half acres of the area in which maize is grown. | Unirrigated | At the rate of fifty kilograms for every acre. |
| 3. In respect of the remaining area in which maize is grown. | Unirrigated | At the rate of one hundred twenty kilograms for every acre. |
| 4. In respect of the first three acres of the area in which maize is grown. | Irrigated | Nil |
| 5. In respect of the next two acres of the area in which maize is grown. | Irrigated | At the rate of fifty-two kilograms for every acre. |
| 6. In respect of the remaining area in which maize is grown. | Irrigated | At the rate of one hundred fifty-seven kilograms for every acre. |

SCHEDULE III
[See Clause 3 (1).]
BAJRA

| Class of grower | Class of land | Quantity of bajra to be sold (for each crop) |
|--|---------------|--|
| 1 | 2 | 3 |
| 1. In respect of the first seven and a half acres of the area in which bajra is grown. | Unirrigated | Nil |
| 2. In respect of the next two and a half acres of the area in which bajra is grown. | Unirrigated | At the rate of fifteen kilograms for every acre. |
| 3. In respect of the next ten acres of the area in which bajra is grown. | Unirrigated | At the rate of twenty kilograms for every acre. |
| 4. In respect of the remaining area in which bajra is grown. | Unirrigated | At the rate of fifty kilograms for every acre. |
| 5. In respect of the first six acres of the area in which bajra is grown. | Irrigated | Nil |
| 6. In respect of the next four acres of the area in which bajra is grown. | Irrigated | At the rate of twenty kilograms for every acre. |

- | | | |
|--|-----------|--|
| 7. In respect of the next ten acres of the area in which bajra is grown. | Irrigated | At the rate of twenty five kilograms for every acre. |
| 8. In respect of the remaining area in which bajra is grown. | Irrigated | At the rate of fifty two kilograms for every acre. |

SCHEDULE IV
[See Clause 3 (1)]
PADDY.

| Class of grower | Class of land | Quantity of paddy to be sold (for each crop) |
|--|---------------|---|
| 1. In respect of the first four and a half acres of the area in which paddy is grown | Unirrigated | Nil |
| 2. In respect of the next one and a half acres of the area in which paddy is grown. | Unirrigated | At the rate of fifty kilograms for every acre. |
| 3. In respect of the remaining area in which paddy is grown. | Unirrigated | At the rate of one hundred twenty kilograms for every acre. |
| 4. In respect of the first three acres of the area in which paddy is grown. | Irrigated | Nil |
| 5. In respect of the next two acres of the area in which paddy is grown. | Irrigated | At the rate of fifty two kilograms for every acre. |
| 6. In respect of the remaining area in which paddy is grown. | Irrigated | At the rate of one hundred fiftyseven kilograms for every acre. |

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 17.12.65—Page 919]

Food And Civil Supplies Department
Jaipur, January 5, 1966.

Notification No. F. 17A (400) (E)/Food/Sup/65.—In exercise of the powers conferred by sub-rule (3) (c) of rule 125 of the Defence of India Rules 1962, and all other powers hereunto enabling and with the prior concurrence of the Central Government, the Government of Rajasthan hereby orders that the following amendments shall be made in the Rajasthan Jowar, Maize, Bajra and Paddy Procurement (Levy) Order 1965.—

AMENDMENTS

In the said Order,—

- (i) after the word 'bajra' wherever it occurs, except in Schedule III, a comma and the word 'moth' shall be inserted :—
- (ii) for clause 2 (c) the following shall be substituted:—

"(c) 'Purchase Officer' means the Commissioner and/or Additional Commissioner, Food Supplies, Rajasthan, for the whole of the State of Rajasthan and the Collector for his district and any other officer or institution authorised by the State Government to function as Purchase Officer for the whole of the State or any specified part thereof;" and
- (iii) after proviso (ii) to clause 3, the following shall be added:—

"(iii) the State Government may charge as levy on moth from the growers of mixed crop of bajra-moth in such proportion of moth as it may deem fit but not exceeding the limit prescribed for bajra:"

[Pub. in Raj, Gaz. Ex 4 (Ga)—Dt. 5-1-66-Page 1023]

Notifications under

RAJASTHAN RICE (EXPORT CONTROL) ORDER, 1961.

Food Supplies Department

NOTIFICATION

Jaipur, February 4, 1963.

No. F. 1 (4) Food/Sup/61.—In exercise of the powers conferred by clause 3 of the Rajasthan Rice (Export-Control) Order, 1961, the State Government hereby authorises the Collectors of the following districts in Rajasthan to issue permits for the export of rice, produced locally in their districts, to any place outside Rajasthan.

1. Udaipur
2. Dungarpur and
3. Banswara.

This Order shall remain in force for a period of four months from the date of its issue unless extended further by the State Government.

By Order of the Governor,

A.K. ROY,

Secretary to Government.

[Published in Raj. Raj-patra Part I (b) Dt. February 14, 1963 page at 205]

Food and Civil Supplies Department

Jaipur, February 7, 1966.

Notification No. F. 9 (2) Food/Sup./64.—In exercise of the powers conferred by clause 4 of the Rajasthan Rice (Export Control) Order 1961, the State Government hereby authorises all sub-divisional Magistrates, Tehsildars, and Naib-Tehsildars to exercise all powers of entry, search, seizures, etc. in their respective jurisdiction under the said clause.

[Pub. in Raj. Gaz. 4 (Ga) — Dt. 3-3-66-Page 589]

Food And Civil Supplies Department

Jaipur, February 7, 1966.

Notification No. F. 9 (2) Food/Sup./64.—In exercise of the powers conferred by clause 4 of the Rajasthan Rice (Export Control) Order, 1961, the State Government hereby authorises all Sub-divisional Magistrates, Tehsildars, Naib Tehsildars, and the Officers of the Food and Civil Supplies Department not below the rank of Enforcement Inspector, to exercise all powers of entry, search, seizure etc. in their respective jurisdiction under the said clause

[Pub. in Raj. Gaz. 4(Ga)-Dt. 3-3-66-Page 591]

RAJASTHAN RICE (IMPORT RESTRICTION) ORDER, 1960

Notification No. G. S. R. 635.—In exercise of the powers conferred by section 8 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order further to amend the Rajasthan (Rice Import Restriction) Order, 1960, namely:—

1. This Order may be called the Rajasthan (Rice Import Restriction) Amendment Order, 1964.

2. In the Rajasthan (Rice Import Restriction) Order, 1960, for sub-clause (a) of clause 2, the following sub-clause shall be substituted, namely:—

“(a) “Import” means to take or cause to be taken by any means whatsoever, into the State of Rajasthan from any place outside that State”.

[Published in Rajasthan Gazette, Extraordinary, Part-IV (Ga), dated 5-5-1964.]

Food and Civil Supplies Department

Jaipur, February 7, 1966.

Notification No. F. 9 (2) Food/Sup./64.—In exercise of the powers conferred by clause 4 of the Rajasthan (Rice Import Restriction) Order, 1960, the State Government hereby authorises all Sub-divisional Magistrates, Tehsildars, and Naib Tehsildars to exercise all powers of entry, search, seizures, etc. in their respective jurisdiction under the said clause.

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 3-3-66—Page 590]

Food And Civil Supplies Department

Jaipur, February 7, 1966.

Notification No. F. 9 (2) Food/Supp/64—In exercise of the powers conferred by clause 4 of the Rajasthan (Rice Import Restriction) Order, 1960, the State Government hereby authorises all Sub-divisional Magistrates, Tehsildars Naib Tehsildars, and the Officers of the Food and Civil Supplies Department, Government of Rajasthan, not below the rank of the Enforcement Inspector, to exercise all powers of entry, search, seizure, etc. in their respective jurisdiction under the said clause.

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 3-3-66—Page 591]

Notifications under

DEFENCE OF INDIA RULES, 1962

Home Department (Emergency)

NOTIFICATION

Jaipur, December 27, 1962.

No. F. 482/HS/EM/62.—In pursuance of clause (a) of sub-rule (1) of rule 107, Defence of India Rules, 1962, the State Govt. hereby appoints the following Officers, in virtue of their office, to exercise, within the areas specified against each, the powers of competent authority under any provision contained in Part XI of the said Rules:—

- | | |
|--|-----------------------------|
| 1. All District Magistrates in Rajasthan. | Throughout their districts. |
| 2. Director of Transport, Rajasthan. | Throughout the State. |

By Order of the Governor,
SHIV SHANKAR,
Secretary to the Government.

[Published in Raj. Raj-patra, Part I (b) Dated 17-1-1963 at Page 193].

Notification No. F. 456/HS/EM/62.—In pursuance of clause (a) of sub-rule (1) of rule 107, Defence of India Rules, 1962, the State Government hereby appoints the following Officers, in virtue of their office, to exercise, within the areas specified against each, the powers of competent authority under any provision contained in Part XI of the said Rules :—

- | | |
|---|-----------------------------|
| 1. All District Magistrates in Rajasthan. | Throughout their districts. |
| 2. Director of Transport, Rajasthan. | Throughout the State. |

[Home Department (Emergency) Notification-dated 27-12-62 published in Rajasthan Gazette Part 4 (Ga) dated 20-2-64 Page 671 (21).]

Notification No. F. 1 (3) Food/Sup/63.—In pursuance of sub-rule (5) of rule 134 of the Defence of India Rules, 1962, the State Government hereby appoints the Collectors & District Magistrates of all Revenue districts in the State, to exercise, within their respective Jurisdiction, the powers of a competent authority under the said rule 134.

Notification No. F. 1 (3) Food/64.—In exercise of the powers conferred by clause (b) of rule 155 of the Defence of India Rules, 1962, the State Government hereby specifies, for purposes of bail, the contravention of any rule of the Defence of India Rules, 1962, or any order made thereunder, except that made in respect of foodgrains.

[Published in Rajasthan Gazette-Part IV (Ga)-dated 13-8-1964.]

Food and Civil Supplies Department

Jaipur, April 9, 1965.

Notification No. F. 1 (3) Food/64.—In pursuance of clause (b) of Rule 155 of the Defence of India Rules, 1962, and in supersession of this Department Notification No. F. 1. (3) Food/64, dated the 13th August, 1964 published in the Rajasthan Gazette Extraordinary, Part IV (C), dated the 13th August, 1964, the State Government hereby specifies Rule 125 of the said rules and the orders made thereunder, relating to the control of foodgrains for the purposes of the said clause.

[Pub. in Raj. Gaz. Ex., 4 (Ga)—Dt. 12.4.65]

Notification No. F. 3/DS/EM/62.—In exercise of the powers conferred by sub-rule (1) of rule 126 AA of the Defence of India Rules, 1962, the State Government, being of the opinion that the following classes of employments are essential for maintaining supplies and services necessary to the life of the community, hereby declares them to be the classes of employments to which the said rule applies:—

1. All employments under the Rajasthan State Electricity Board;
2. All employments under the Municipal Boards or Councils in the State.

[Pub. in Rajasthan Gazette Extraordinary Part IV (Ga) dated 24.8.1964.]

Home (Emergency) Department

ORDER

Jaipur, May 3, 1965.

No. F. 127/HS/EM/63.—Whereas the Government of Rajasthan are satisfied that it is essential for the defence of India and Civil defence and public safety and for better management of fire services;

Now therefore, in exercise of the powers conferred under sub-rule 6 of rule 70 of the Defence of India Rules, the State Government hereby order that all the fire services in the following towns and cities be taken over along with their equipment and personnel with immediate effect and placed under the direct control of the Adviser, Civil Defence, Rajasthan and further to order that such services will henceforth be controlled and run as directed by the Adviser, Civil Defence.

- (1) Jaipur. (2) Ajmer. (3) Jodhpur. (4) Ganganagar.
- (5) Bikaner. (6) Bärmer. (7) Jaisalmer.

They are further pleased to order that the entire expenditure on the maintenance of these services will be met out of the consolidated fund of the State and that the local bodies concerned will be responsible to pay towards their maintenance upto the extent to which they have actually been spending on these services on the average of 3 years commencing from 1963-64.

[Pub. in Raj. Gaz. Ex., 4 (Ga) Dt. 3.5.65 Page 34]

Cabinet Secretariat (Emergency)

Jaipur, May 4, 1965

Notification No. F. 3/DS/EM/65.—In exercise of the powers conferred by sub-rule (1) of Rule 126AA of the Defence of India Rules, 1962, the State Government being of the opinion, that all employments under the Rajasthan State Road Transport Corporation are essential for maintaining supplies and services necessary to the life of the Community, hereby declares them to be the employment to which the said rule applies.

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 4.5.65.]

Medical & Public Health Department

ORDER

Jaipur, November 5, 1965.

No. F. 21 (40) MPH/65.—In exercise of the powers conferred by sub-rule (2) of rule 125 of the Defence of India Rules, 1962 read with clause (b) of sub-rule (3) of the said rule the State Government being of the opinion that it is necessary so to do for the maintenance of supplies and services essential to the life of the community hereby makes the following order, namely:—

(1) Every person holding a licence under the Drugs Act, 1940 is prohibited from withholding from sale generally of drugs as defined by the said Act and ordinarily kept by him to be sold at his business premises.

(2) Contravention of this order shall be punishable with imprisonment for a term which may extend to three years or with fine or with both under sub-rule (9) of rule 125 of the Defence of India Rules.

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 5.11.65—Page 807]

Home (B. Gr. I) Department

Jaipur, January 1, 1966

Notification No. F. 1 (9) 52/H/(B. Gr. 1)/65.—In pursuance of clause (a) of sub-rule (1) of rule 107 of the Defence of India Rules, 1962 and all other powers enabling in this behalf the State Government hereby rescinds this Department notification No. F. 1 (9) 17/HB-Gr. 1/64, dated the 8th April, 1964 published in the Rajasthan Gazette Part IV-C, dated the 8th April, 1964.

[Pub. in Raj. Gaz. Ex. Part 4 (Ga)—Dt. 1-1-66—Page 1009]

Home (B. Gr. I) Department

Jaipur, January 1, 1966

Notification No. F. 1 (9) 52/H/(B. Gr. 1)/65.—In exercise of the powers conferred by clauses (i), (ii) and (iii) of rule 111 of Defence of India Rules, 1962, and all other powers enabling in this behalf the State Government hereby rescinds this department notification No. F. 1 (9) 17/HB-Gr. 1/64, dated 8th April, 1964, published in the Rajasthan Gazette, Part IV-C dated the 8th April, 1964.

[Pub. in Raj. Gaz. Ex 4 (Ga)—Dt. 1-1-66—Page 1009]

Home (Emergency) Department

Jaipur, March 23, 1966.

Notification No. F. 3/DS/EM/62—In exercise of the powers conferred by sub-rule (1) of Rule 126 AA of the Defence of India Rules, 1962, the State Government being of the opinion that all employments under the State Public Works Department (Health) are essential for maintaining supplies and services necessary to the life of the community, hereby declares them to be the employment to which the said rule applies.

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 23-3-66]

Home (Emergency) Department

Jaipur, September 2, 1966.

Notification No. F. 9/DS/EM/65/Pt. 1.—In Pursuance of Government of India, Ministry of Home Affairs Order No. S.O. 1024 dated 24-3-66, published in the Gazette of India Extraordinary Pt. II. section 3 sub-section (ii) G.S.R. No. 84, dated 26th March, 1966, the State Government specify the District Magistrates of Districts Barmer, Jaisalmer, Bikaner and Ganganagar also to exercise powers under sub-rule (1) of Rule 25 A of the Defence of India Rules, 1962. The District Magistrates in the exercise of the powers hereby conferred, shall comply with such directions as the Central Government may issue from time to time.

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 3-9-66.]

Food and Civil Supplies Department

Jaipur, October 26, 1966

Notification No. F. 1 (3) Food/61.—In exercise of the powers conferred by rule 155 of the Defence of India Rules, 1962, the State Government hereby rescinds this Department Notification No. F. 1 (3) Food/64 Dated the 9th April, 1965, published in the Extraordinary issue of the Rajasthan Gazette, Part IV-C, dated the 12th April, 1965.

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 26-10-66. Page 422]

Rules and Notifications under

DENTISTS ACT, 1948 (16 OF 1948).

Notifications under

DENTISTS ACT, 1948.

Published in Raj.Raj-patra part I (a) dated June 25, 1959 at page 89

Medical & Public Health Department

NOTIFICATION

Jaipur, September 20, 1957.

No. F. 1 (1) (1) MPH/57.—In exercise of the power conferred by clause (e) of section 3 of the Dentists Act, 1948 (16 of 1948), the Government of Rajasthan hereby nominates Dr. M.K. Williams Beawar Road, Ajmer as member to represent Rajasthan in the Dental Council of India with effect from the Date of this notification.

By Order of the Governor,
S. P. SINGH BHANDARI,
Secretary to the Government.

Published in Raj. Raj-patra part I (b) dated December 3, 1959 at page 413

Medical & Public Health Department

NOTIFICATION

Jaipur, July 25, 1959,

No. D. 1549/49 F. (1)(1) MPH/57 —The Governor is pleased to constitute under section 32 of the Dentist Act, 1948 (Act XVI of K 42) a Registration Tribunal consisting of—

1. Dr. S.M. Kasliwal, Principal, S.M.S Medical College and Controller to the attached hospitals, Jaipur.

2. Dr. G.D. Baijal, Dy. Director of Medical & Health Services (Administration) Rajasthan, Jaipur.

3. Dr. Satya Deo Sharma, Junior Specialist (Dentist) S.M.S. Hospital, Jaipur.

4. Shri H.L. Bordia as a part-time Registrar of the said Tribunal. He should also act as the Secretary and also its Treasurer.

5. Application for registration, which shall be accompanied by the prescribed fee of Rs. 15/-, shall be made to the Registration Tribunal within a period of 3 months of the publication of this Notification.

By Order of the Governor,
VISHNU DUTTA SHARMA,
Secretary to the Government.

Notifications under

The Dentists Act, 1948

Published in Rajasthan Raj-patra part IV (c) dated May 18, 1961 at page 96

Medical & Public Health Department

NOTIFICATION

Jaipur March 27, 1961.

No. F. 1 (1) (1) MPH/59.—In exercise of the powers conferred by sub-section (1) read with clauses (g), (h) and (j) of sub-section (2) of section 55 of the Dentists Act, 1948 (Central Act 16 of 1948), the State Government hereby makes the following rules, namely:—

1. *Short title, commencement and application.*—(1) These rules may be called the Rajasthan Dentists (First Preparation of the Register) Rules, 1961.

(2) They shall come into force upon their publication in the official Gazette.

(3) They shall apply to the first preparation of the register of dentists.

2. *Definitions.*—In these rules:—

(1) “Act” means the Dentists Act, 1948 (Central Act 16 of 1948);

(2) “Register” means the Register of Dentists prepared and maintained under section 31 of the Act;

(3) “Registrar” means the Registrar of the Tribunal; and

(4) “Tribunal” means the Registration Tribunal constituted under section 32 of the Act.

3. *Form of application.*—The application for registration shall be in the form approved by the Tribunal.

4. *Fee for application.*—(1) Every application for registration shall be accompanied by a fee of Rs. 15/-:

Provided that where the application is rejected on any ground, a fee of Rs. 10/- shall be refunded to the applicant.

(2) All fees received shall be deposited in the State Bank of Jaipur in the name of the Registration Tribunal, Rajasthan and the Registrar shall be the treasurer.

5. *Expenses of the Tribunal.*—(1) The Tribunal shall be authorised to incur expenditure with the prior approval of the Government on the following items which will be met out of the amount of fee received under rule 4 and any other sum, if any, granted by the Government for this purpose:—

- (a) Pay of Establishment,
- (b) Printing Charges,
- (c) Miscellaneous and contingencies (including stationery, postage, office furniture etc.),
- (d) Travelling allowance to the members of the Tribunal the Registrar and the staff of the Tribunal,
- (e) Office rent.

The annual budget of the Tribunal shall be sent to the Government.

(2) The Registrar, shall be authorised to incur an expenditure up to Rs. 25/- and any expenditure exceeding Rs. 25/- shall be incurred by the President of the Tribunal.

6. *Appointment and remuneration of the staff of the Tribunal.*—The President of the Tribunal shall authorised to appoint its staff and subject to the approval of the Government fix remuneration thereof.

7. *Procedure of the Tribunal.*—The Tribunal shall be authorised to regulate its procedure with regard to the examination of the applications for registration and all matters incidental thereto.

8. *Travelling allowances.*—Members of the Tribunal, the Registrar and the staff shall be paid T.A. and D.A. in accordance with the provisions of the Rajasthan Travelling Allowance Rules. Non-official members will be treated as officers of the Second Class and will be entitled to T.A. & D.A. accordingly.

By Order of the Governor,

V. D. SHARMA,

Secretary to the Government.

Notifications under

DENTIST ACT, 1948

Published in Raj. Raj-patra part 1 (b) dated January 12, 1961 at page 496

Medical & Public Health Department

NOTIFICATION

Jaipur. December 31, 1960.

No. D. 1549/59/F. 1 (1) (1) MPH/59.—In exercise of the powers conferred by sub-section (2) of section 32 of the Indian Dentist Act (XVI of 1948) and in partial modification of this Department Notification No. D-1543/59/F-1 (1) (1) MPH/57 dated the 25th July, 1959, the State Government hereby appoints 31st March, 1961 as the date on or before which applications for registration, shall be made to Registration Tribunal.

By Order of the Governor,
VISHNU DUTT SHARMA,
Secretary to Government.

Rules and Notifications under

DESTRUCTION OF RECORDS ACT, 1917 (5 OF 1917).

Notifications under

DESTRUCTION OF RECORDS ACT, 1917.

Published in Raj. Raj-patra part IV (c) dated July 23, 1959 at page 386

Finance Department (WM)

ORDER

Jaipur, April 28, 1959.

No. D. 4381/F. 1 (8 W.M./59).—In pursuance of the provisions contained in section 3 (2) (c) (ii) of the Destruction of Records Act, 1917 (5 of 1917), the Governor of Rajasthan hereby authorises the Secretary, Reserve Bank of India, Central Office, Bombay to make rules for the disposal of records of the Public Debt Office relating to State Government Securities.

By Order,
RAM SINGH,

Addl. Secretary to the Government.

Published in Raj. Raj-patra part IV (c) dated 11/8/60 at page 261

Finance Department (W.M.)

ORDERS

Jaipur, October 22, 1959.

No. F. 1 (8) FWM/59.—In pursuance of the provisions contained in section 3 (2) (c) (ii) of the Destruction of Records Act, 1917 (Central Act No. 5 of 1917) as adapted to the pre-reorganisation State of Rajasthan by the Rajasthan Adaptation of Central Laws Ordinance, 1950 (No. IV of 1950) and of the corresponding provisions of laws in force in the Abu, Ajmer and Sumer Areas, the State Government hereby authorises the Secretary, Reserve Bank of India, Central Office, Bombay to make rules for the disposal of records of the Public Debt Office relation to the State Government securities.

This supersedes Government Order No. D. 4381/F. 1 (8) W.M. 59, dated the 28th April, 1959 published in the Rajasthan Gazette, Part IVC-dated 23-7-1959.

By Order of the Governor,
G. S. PUROHIT,
Secretary to the Government.

Rules and Notifications under

DISCIPLINARY PROCEEDINGS (SUMMONING OF WIT
NESSES AND PRODUCTION OF DOCUMENTS) ACT, 1959
THE RAJASTHAN (No. 28 OF 1959).

Rajasthan Disciplinary Proceedings (Summoning of Witnesses and Production of Documents) Rules, 1960.

Appointments (A-III) Department

NOTIFICATION

Jaipur, October 21, 1960.

No. F. 23 Appts, (A)/58/Group III.—In exercise of the powers conferred by section 5 of the Rajasthan Disciplinary Proceedings (Summoning of Witnesses and Production of Documents) Act, 1959, the State Government, hereby makes the following rules, namely:—

1. *Short title and commencement.*—(i) These Rules may be called the Rajasthan Disciplinary Proceedings (Summoning of Witnesses and Production of Documents) Rules, 1960.

(ii) They shall come into force at once.

Notes

Section 5 of the Rajasthan Disciplinary Proceedings (Summoning of witnesses and Production of Documents) Act, 1959 authorises the State Government to make rules for the purposes of giving effect to the provisions of the Act. Sub-section (1) of section 4 of the Act provides that; (1) "An inquiring authority shall have the same powers as are vested in a Civil Court under the code of Civil Procedure, 1908 (Central Act V of 1908), while trying a suit for summoning witnesses and enforcing their attendance and for compelling the production of documents.

(2) All processes issued by such inquiring authority to cause the attendance of witnesses or to compel the Production of documents shall be served and executed through the District Judge within whose jurisdiction the witness or other person on whom the process is to be served or executed resides."

These rules have been framed in pursuance of powers conferred under section 5 of the Act.

2. *Summons and other processes.*—(i) The Inquiring [Authority] may direct a party in any proceeding under the Act to file a printed/summon/form in duplicate in the Nagri character duly filled up except in respect of the date of appearance/hearing and the date of issue of the summons/notice to be served on the witness intended to be examined by the said party.

(ii) In summons and notices the date of appearance/hearing and the date of issue shall be filled up in the office of the Inquiring [Authority] and the Inquiring [Authority] or his Office Superintendent or P.A. or any other member of the staff to whom such authority may be delegated, shall sign the summons/notice and also put the date of signature.

(iii) The forms shall not be accepted unless filled up in hold clear and legible hand-writing. The parties shall sign the form in the left bottom corner and will be responsible for the accuracy of the information entered in the forms.

(iv) In every process or order issued or made by an Inquiring [Authority], the name of the officer issuing or making it shall be legibly written at the top.

In all cases the Inquiring [Authority] or his Office Superintendent or P.A. or other member of the staff referred to in Rule 2 (ii) above shall sign his name distinctly and legibly. No such signature shall be made by means of a stamp.

(v) The form or process shall be the one which is prescribed under General Rules (Civil) 1952 or civil courts in Rajasthan with such variations and modifications as may be necessary.

(vi) Before issuing a process, the Issuing Officer shall satisfy himself that such description of the person for whom the process is intended or in respect of whom or whose person or property it is issued, is entered therein as will enable the process-server without risk of mistake to indentify such person or property. The name, father's name, occupation, district, mohalla (if any) village or town shall be sent forth in the process. Where such description does not appear in the application of the person moving the Inquiring [Authority] to issue the process or in the record the orders of the Inquiring [Authority] shall forthwith be taken by the issuing officer.

(vii) The provisions contained in Chapter 3 of the General Rules (Civil), 1952 shall, so far as may be applied for the summoning of witnesses and documents when the summons are to be issued to a soldier, sailor, airman or public servant.

(viii) All processes shall ordinarily be sent for service to the court of the [District and Sessions Judge] having jurisdiction over the area where the witness resides or from whose custody the document is to be produced.

Notes

In rule 2 for the words "Inquiring Officer" wherever occuring the words "Inquiring Authority" have been substituted and for the words "st Class Magistrate" in clause (viii) the words "District and Sessions Judge" have been substituted vide Appointments (A-III) Department Notification No. F. 23 (93) Appts. (A)/58/Group/III dated June 15, 1961, published in supplement to Rajasthan Gazette No. 25 dated September 21, 1961, part iv (c).

By Order of the Governor,

R. D. THAPAR,

Special Secretary to the Government.

Rules and Notifications under

DISPLACED PERSONS (DEBTS ADJUSTMENT) ACT, 1951
(CENTRAL ACT No. 60 OF 1951).

DISPLACED PERSONS
(Debts Adjustment) (Rajasthan) RULES, 1952
RELIEF & REHABILITATION DEPTT.
NOTIFICATION.

Jaipur, April 26, 1952.

No. F. 18 (120)/R. R/1/51.—In exercise of the powers conferred by section 58 of the Displaced Persons (Debts Adjustment) Act, 1951 (LXX of 1951), the Government of Rajasthan is hereby pleased to make the following rules namely:—

Notes

Section 58 of the Displaced Persons (Debt Adjustment) Act 1951 requires the State Government to make rules providing for :—

- (a) the distribution of business amongst the various Tribunals within the State:
- (b) the manner in which copies of document produced before the Tribunals should be certified:
- (c) the returns to be made by the Tribunals and the authorities to which they may be so made.

The Government of Rajasthan have, therefore, framed these rules in pursuance of the power given under the aforesaid section.

1. *Distribution of business amongst various Tribunals:*—Subject to such general or special orders which the State Govts. may issue in this behalf a District Judge may make such arrangements as he deems fit for the distribution of business amongst the various tribunals functioning within the local limits of his jurisdiction.

2. *Manner of certification of documents produced before the Tribunal:*—Every tribunal shall on application made to it in this behalf grant to the applicant a copy of every document produced before it together with a certificate written at the foot of such copy that it is a true copy such document or part thereof, as the case may be, and such certificate shall be dated and signed by such officer as the tribunal may appoint in this behalf with his name and official title and shall be sealed whoever such officer is authorised by the tribunal to make use of his seal.

3. *Returns:*—Every tribunal shall, at the end of every six months forward to the Government a return in form 'A' containing an abstract of the relevant entries in the register in form 'D' in the schedule to the Displaced Persons (Debts Adjustment) Rule 1951, and showing the number of applications made during the period before the Tribunal under different sections of the Act, the number of applications pending during the said period.

Notes

The rules of 1951 referred in the above rule have been framed by the Ministry of Rehabilitation, Government of India, NEW DELHI vide Notification No. 68 (20)/51/Prop. dated 8/1/1952 published in Rajasthan Raj-patra part IV (B) dated 3/1/53.

By Order of
His Highness the Rajpramukh.
J.N. Purohit,
Secretary to the Government.

NOTIFICATIONS UNDER
THE DISPLACED PERSONS (DEBTS ADJUSTMENT) ACT, 1951
JUDICIAL DEPARTMENT.

NOTIFICATION.
Jaipur, January 2, 1952

No. F. 34 (35) Jud./51.—In pursuance of section 4 of the Displaced persons (Debts Adjustment) Act. No. LXX of 1951 of the Central Legislature, the Government of Rajasthan is pleased to appoint all the Civil Judges in Rajasthan as the Tribunal having authority to exercise Jurisdiction under the said Act within the areas of their respective jurisdiction.

By Order of
His Highness the Rajpramukh,
S. S. MEHTA,
Secretary to the Government.

Rules and Notifications under

RAJASTHAN DIVISIONAL COMMISSIONER (OFFICE
ABOLITION) ACT, 1962.

RAJASTHAN DIVISIONAL COMMISSIONER (OFFICE ABOLITION) ACT, 1962

Revenue (B) Department
Jaipur, the March 8, 1966.

Notification No. F. 16 (71) Rev./B/58.—In exercise of the powers conferred, by clause (b) of section 5 of the Rajasthan Divisional Commissioner (Office Abolition) Act, 1962 (Rajasthan Act 8 of 1962), the State Government hereby directs that the reference to the Divisional Commissioner in clause 5 (vi) of Form 'C' appended to the Rajasthan Land Revenue (Brick kiln in Non-Project Areas) Conditions, 1960 [as originally published under this department's notification No. F. 16 (71) Rev. B/58, dated the 26th October, 1960, in Part IV-C of the Rajasthan Gazette, dated the 2nd February, 1961], shall be construed as being a reference to the Board of Revenue for Rajasthan.

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 2.6.66—Page 152]

Rules and Notifications under

DOWRY PROHIBITION ACT, 1961 (CENTRAL ACT
28 OF 1961).

Notifications Under,

The Dowry Prohibition Act, 1961

Published in Raj. Raj-patra IV (c) dated August 17, 1961 at page 149 :

Law and Judicial Department

NOTIFICATION

Jaipur, August 17, 1961.

No. F. 10 (50)-Leg/61.—In exercise of the power conferred by the proviso to section 4 of the Dowry Prohibition Act, 1961 (Central Act 28 of 1961), the State Government specifies the Law and Judicial Secretary to the Government of Rajasthan to be the officer with whose previous sanction a court shall take cognizance of an offence under the said section.

By Order of the Governor,

D. C. SHARMA,

Secretary to the Government.

Published in Raj. Raj-patra part I (c) dated January 5, 1962 at page 275

Law Department

NOTIFICATION

Jaipur, January 3, 1962.

No. F. 10 (50)-Leg/61.—In exercise of the power conferred by the Proviso to section 4 of the Dowry Prohibition Act, 1961 (Central Act 28 of 1961) and in supersession of Law and Judicial Department Notification of even number dated the 17th August, 1961, the State Government hereby specifies the Sub-Divisional Officer of every sub-division in the State of Rajasthan to be, within the local limits of his jurisdiction, the officer with whose previous sanction a Court shall take cognizance of an offence punishable under the said section.

By Order of the Governor,

D. C. SHARMA,

Secretary to the Government.

Rules and Notifications under

DRAMATIC PERFORMANCES & ENTERTAINMENTS ORDINANCE, 1949. THE RAJASTHAN (29 OF 1949)

Rajasthan Dramatic Performances and Entertainment Rules, 1955

NOTIFICATION

Jaipur, June 11, 1955.

No. F. 8 (128) Police-II/51 (A).—In exercise of the powers conferred by section 11 of the Rajasthan Dramatic Performances and Entertainments Ordinance, 1949 (Rajasthan Ordinance No. XXIX of 1949), the Government of Rajasthan is hereby pleased to make the following rules, namely:—

CHAPTER I.

PRELIMINARY

1. *Short title etc.*—(1) These rules may be called the Rajasthan Dramatic Performances and Entertainments Rules, 1955.

(2) They extend to the whole of Rajasthan, but Chapter III of these rules shall apply only to the areas in respect of which an order under sub section (1) of section 10 of the Ordinance is for the time being in force.

(3) They shall come into force on the date of their publication in the Rajasthan Gazette.

Commentary

These rules have been framed in exercise of the powers conferred by section 11 of the Rajasthan Dramatic Performances and Entertainments Ordinance, 1949. The enabling section, besides generally authorising the Government to make rules for the purpose of carrying into effect the provisions of this ordinance, empowers the Government in particular to make rules for, (a) the regulation of all dramatic performances and entertainments in public places;

(b) the forms of licences to be granted under this Ordinance;

(c) the procedure for granting licences;

(d) the fees to be levied for such licences;

2. *Definitions.*—In these rules, unless there is anything repugnant in the subject or context—

(a) “Form” means a form appended to these rules;

(b) “license” means a license issued with reference to an order under section 10 (1) of the Ordinance and “licensee” “licensed” and the like shall be construed accordingly;

(c) Licensing Authority means the District Magistrate having jurisdiction over the place where the dramatic performance or entertainment is or is proposed to be held or such other officer as may be specially empowered by the Government under sub section (1) of section 10 of the Ordinance;

(d) “Ordinance” means the Rajasthan Dramatic Performances and Entertainments Ordinance, 1949 (Rajasthan Ordinance No. XXIX of 1949); and

(e) words and expressions defined in the Ordinance and not defined in these rules shall have the meanings respectively assigned to them in the Ordinance.

CHAPTER II

Procedure regarding performances sought to be prohibited under section 3.

Commentary

Section 3 of the Ordinance provides that the rules in this chapter prescribe the procedure which a District Magistrate is required to follow before a prohibitory order under section 3 is passed. The procedure as prescribed in rules 3 to 5 can, however, be dispensed with when the circumstances mentioned in rule 6 (1) are apprehended.

3. *Notice to be given before prohibiting a performance under section 3.*—(1) Except as otherwise provided in rule 6, the District Magistrate shall not issue a prohibitory order under section 3 of the Ordinance unless notice is given to the person against whom the order is to be made to show cause why such an order should not be made and a reasonable opportunity has been given to him of submitting his objections in respect thereof.

(2) The notice shall state the grounds on which the District Magistrate regards the performance or entertainment as falling within the purview of clause (a), (b), (c) or (d) of section 3 of the Ordinance.

(3) The notice shall state the time, place and date of hearing and the name of the person to be served and shall be issued in duplicate. It shall be served in the manner provided for the service of a summons under the Code of Criminal Procedure 1898 (Act V of 1898).

4. *Hearing and decision.*—After hearing the person against whom the notice has been issued or his authorised agent (if he appears) the District Magistrate shall pronounce his decision regarding the issue of a prohibitory order. Reasons shall be recorded in the decision.

5. *Adjournment.*—The District Magistrate may adjourn, from time to time, a hearing under this Chapter, for sufficient cause and on such conditions as he may think fit.

6. *Emergency.*—(1) Where an immediate disturbance of the public peace is apprehended the District Magistrate may, after recording his reasons for doing so, issue a prohibitory order under section 3 of the Ordinance without the issue of a notice and without hearing the person concerned.

(2) In such cases, the District Magistrate shall, as soon as may be after the issue of such prohibitory order under sub-rule (1) fix a date for hearing the person concerned and issue notice in the manner prescribed in rule 3 and thereafter the procedure prescribed in rules 3, 4 and 5 shall be followed. At the close of these proceedings, the District Magistrate may confirm, modify or cancel the prohibitory order.

(3) Without prejudice to the generality of the provisions of sub-rule (1) a prohibitory order under that sub-rule may be issued even when a notice is being or has been issued or at any time during which the proceedings under rules 3, 4 and 5 are going on, or as a condition of an adjournment of such proceedings provided in all cases that an immediate disturbance of the public peace is apprehended.

CHAPTER III

Licensing of Dramatic Performances and Entertainments Procedure for obtaining Licenses.

Commentary

Section 10 of the Ordinance provides that,—(1) “The Government may, if and when it considers necessary, order that no dramatic performance or entertainment nor any class of such performances or entertainments shall be held in any public place within any local area specified in the order except under a licence to be granted by the District Magistrate, or such officer as may specially be empowered by the Government in this behalf.

(2) The Government may also order that no dramatic performance or entertainment shall be held in any public place, unless a copy of the piece, if and so far as it is written or some sufficient account of its purport, if and so far as it is in pantomime or otherwise, has been furnished, not less than three days before the performance or entertainment to the District Magistrate, or such officer as may be named in the order.

(3) A copy of any order under this section may be served on any keeper of the place where the performance or entertainment is to be held and if thereafter he does, or willingly permits, any act in disobedience to such order, he shall be punishable with imprisonment for a term which may extend to three months, or with fine, or with both”.

The rules in this Chapter prescribe the procedure for obtaining the licence as required under sub-section (1) of section 10 of the Ordinance. The rules in this Chapter do not extend to the whole of Rajasthan as the application of sub-section (1) of section 10 is to be within any local area specified in the order of the Government under sub-section (1) of section 10. Sub-rule (ii) of Rule 1, therefore, provides that Chapter III of these rules shall apply only to the areas in respect of which an order under said sub section is for the time being in force.

7. *Application of the Chapter.*—The provisions of this Chapter shall apply in respect of licenses required by an order under section 10 (1) of the Ordinance for the holding of a dramatic performance or entertainment in a public place.

8. *Application for license*—(1) An application for a license shall be made to the Licensing Authority in form A, bearing the Court fee prescribed by Law and shall be accompanied by the fee for license prescribed by these rules.

(2) The application shall be made not less than fifteen days before the date on which the dramatic performance or entertainment for which the license applied for is to be held.

In suitable cases, the Licensing Authority may entertain an application filed at any time before the said date or even on the date of performance before the time of performance. But where an order under sub-section (2) of section 10 is for the time being in force, the application shall be filed at least three days before the said date.

9. *Procedure on receipt of application.*—(1) On an application for license being received, the Licensing Authority shall unless it chooses to grant the license immediately, fix a date for orders on the application, which shall be communicated there and then to the applicant.

(2) The Licensing Authority may, whether it is the authority empowered to do so under section 7 of the Ordinance or not, require the applicant to supply such information relating to the proposed performance or entertainment (including a copy in English or Hindi of the Script or programme) or demonstration thereof, as it may think fit. The applicant shall provide such information or demonstration and if it is not provided the Licensing Authority shall not be bound to consider the application. The Licensing Authority may also inspect the premises if it thinks necessary.

(3) On the date fixed for orders under sub-rule (1) the Licensing Authority shall, after hearing the applicant or his authorised agent (if he appears) and subject to the provisions of sub-rule (2) and to the other provisions of these rules, grant or reject the application, recording its reasons for doing so.

(4) Every license shall be in Form B.

Commentary

District Magistrate is Ordinarily a licensing authority for the purposes of these rules. A State Government can, however, specially empower any other officer for this purpose.

Section 7 of the ordinance empowers the District Magistrate to require, "the author, proprietor or printer of the drama about to be performed, or the proprietor, manager or promoter of the entertainment about to be held" to furnish as he thinks necessary. Any other officer can also be specially empowered by the Government in this behalf under section 7 of the Ordinance.

A licensing authority specially empowered under sub-section (1) of section 10 of the Ordinance shall have, by virtue of this rule, power to call for information under section 7 of the Ordinance, even without any specific authorisation as required under section 7 of the Ordinance.

10. *License when to be refused.*—(1) No license shall be granted to an individual below the age of 21 years.

(2) No license shall be granted unless the fee prescribed by these rules has been paid.

(3) A license may be refused if the proposed performance or entertainment is likely to lead to a breach of the peace, or is of the nature prescribed in clause (a) (b) (c) or (d) of section 3 of the Ordinance or amounts to a contempt of any Court or incitement to an offence or may prejudice the friendly relations of India with any foreign State, or includes, items in the nature of games of chance.

(4) A license may be refused if the application is not in order, or if the information or demonstration referred to in rule 9 (2) has not been provided, or if any information required to be furnished by virtue of an order under section 10 (2) has not been furnished to the proper authority, or if the licensee has failed to arrange for inspection of the premises when required.

(5) A license shall not be refused in any other case.

11. *License fees*.—(1) For every license, a fee of rupees 10/- shall be charged for the first day and Rs. 5/- for every subsequent day for the number of days for which the license is issued.

Note.—For fees for alteration in a license see rule 20.

(2) The duplicate of a license may be granted on payment of rupees 2 only.

(3) Notwithstanding anything in the foregoing su-rules no license fee shall be charged in respect of a dramatic performance or entertainment—

(a) if it is in aid of any philanthropic, religious, charitable, cultural, scientific or educational institution in the buildings occupied by such institution, or

(b) if it is organised by or under the auspices of the Central Government or the Government of Rajasthan or any Department thereof or any local body, or

(c) if it is organised by any institution or association not established for profit and meant solely for the purpose of promoting the public health or the interests of agriculture or of a manufacturing industry and consists solely of an exhibition of articles of interest connected with the aforesaid purpose.

Conditions of a License and Obligations of a Licensee.

12. *Implied conditions*.—Every license shall be deemed to be subject to the following conditions namely—

(a) that the provisions of the Ordinance and of these rules are complied with,

(b) that the licensee shall not allow on the stage any words, gestures, representations or things that might—

(i) lead to a breach of the public peace, or

(ii) fall within the purview of clause (a) (b) (c) or (d) of section 3 of the Ordinance, or

(iii) amount to a contempt of court or incitement to an offence, or

(iv) prejudice the friendly relations of India with any foreign State;

(c) that no performance or entertainment will be held after I A M unless specially permitted by the Licensing Authority.

13. *Special conditions*.—(1) The Licensing Authority may impose such other special conditions as it may think fit, in the interests of public order or decency, including conditions limiting admission to the performance or entertainment to adults only.

(2) No special condition shall be imposed after the grant of a license, except by way of modification under the subsequent provisions of these rules.

(3) No special conditions shall be imposed unless the applicant for license has been heard with respect thereto.

14. *Access to be allowed to certain officers.*—The licensee shall allow free access to the Licensing Authority or officers empowered by it, or to police officers not below the rank of Sub-Inspector, for the purpose of seeing that the provisions of the Ordinance and these rules, and the conditions of the license are complied with, such access to be allowed to the performance or entertainment and the place where it is or is to be held.

15. *Reasonable directions to be obeyed.*—The licensee shall obey all reasonable directions that may be issued by the Authority or Officers mentioned in rule 14 for the maintenance of orders at the performance or entertainment.

16. *License to be produced.*—The licensee shall produce the license whenever required by an Authority or officer mentioned in rule 14.

17. *Defaults by Manager, servants etc.*—(1) Every Manager, servant or other agent of the licensee employed in connection with the performance or entertainment shall, be bound by these rules and the conditions of the license in the same manner as the licensee is bound, so far as the functions assigned to him by the licensee are concerned.

(2) Without prejudicial to the provisions of sub-rule (1) a default of any person mentioned in that sub-rule shall be regarded as a default on the part of the licensee also unless he proves that he had taken sufficient precautions to prevent it.

Cancellation, Modification etc. of Licenses.

18. *Ground for cancellation or suspension etc.*—The Licensing Authority may after giving the licensee a reasonable opportunity of being heard, cancel, suspend or modify the license, recording its reasons for doing so on any of the following grounds:—

(a) that the licensee has violated the provisions of the Ordinance or of these rules (including rules 14 to 17) or the conditions of his license; or

(b) that the license has been obtained by fraud or misrepresentation in any material particular; or

(c) that the information or demonstration provided by the licensee under rule 9(2) was materially false or defective and that the performance or entertainment actually held, being held or about to be held is not in accordance therewith.

19. *Cancellation etc. no bar to other penalty.*—The fact that a license has been cancelled, modified or suspended shall not bar the enforcement of any other penalty that the licensee may have incurred under the law.

20. *Alteration regarding Place or Timing.*—Licensing Authority may on the request of the licensee alter the place or timings of performance, if it thinks fit, and if a fee of Re. 1/- is paid.

21. *Issue of license no bar to action under Section 3.*—The fact that a license has been issued in respect of a performance or entertainment shall not bar the taking of action under section 3 of the Ordinance, provided the procedure prescribed by Chapter II of these rules is observed.

Commentary

This rule makes the provision of Section 3 of the Ordinance overriding. The existing of a licence is thus no bar to a prohibitory order under section 3 of the Ordinance.

22. *Issue of license not to excuse compliance with other Laws.*—The fact that a licensee has obtained a license under these rules shall not excuse any non-compliance with any other law, or order, notification, rule, or bye-law having the effect of law, for the time being in force.

23. *Renewal.*—A license shall be valid only for the period for which and for the performance or entertainment in respect of which it is granted but its duration or scope may from time to time be extended by the Licensing Authority at its discretion by endorsement thereon, subject to the other provisions of these rules. A fresh formal application shall not be necessary in such cases. The fee prescribed by rule 11 shall be charged, the mode of calculation being the same as would apply if the original license were for the period or performance or entertainment sought to be added by the renewal.

24. *Associations and Institutions.*—In the case of an association of persons or institution not incorporated by law, the application shall be signed by a responsible officer thereof who shall be regarded as a licensee for the purpose of compliance with the Ordinance and these rules and the conditions of the license.

25. *Exempted performances.*—Nothing in these rules apply to performances and entertainments exempt from the Ordinance under section 12 thereof.

Commentary

As "Rashlila" or performances and entertainments of a like kind held at religious festivals are exempted from the operation of the Ordinance under section 12, these rules do not apply to such performances and entertainments.

By Order of
His Highness the Rajpramukh,
S. D. UJWAL,
Secretary to the Government.

FORM "A"

*See rule 8(1)**Application for holding a Dramatic Performance and Entertainment.*

To

The Licensing Authority,
..... District.

I/We hereby apply for the grant of a license to hold a
dramatic performance
entertainment as per details given below:-

1. Full name with parentage, cast, address of the applicant. FOR Individuals.
2. Full name and address with a copy of certificate of incorporation or statutory provision. In the case of corporate bodies.
 Full name and address of the association or institution. In the case of an association of persons or institution, not incorporated by law.
 And
 Full name, parentage, caste and address of a responsible officer of the association or institution who has signed this application and who shall be regarded as a licensee for the purpose of the Rajasthan Dramatic Performances and Entertainments Ordinance, 1949, and rules made thereunder (See rule 24 of the said rules).
3. Date of birth and age of the applicant. For individuals.
 OR
 Date of birth and age of the officer of the institution or association named in item No. 1 above. For association or institutions not incorporated by law.
4. Details of the place where the performance or entertainment will be held (Address, village, town or city, tehsil and district).
5. Date or dates on which the performance or entertainment will be held.
6. Number of times performances will be held on each day, times of commencement and end.

7. Nature of the performance or entertainment to be held (viz. drama, music concert, circus, variety show etc.).

AND

A brief description (e.g. in the case of dramas, state the title, name of author and subject matter in the case of variety shows or circuses, a rough enumeration of items; in the case of exhibitions, the kind of articles exhibited).

8. Name and address of the Manager incharge of the performance or entertainment (if other than the licensee).
9. Name and address of the owner of the premises where the performance or entertainment will be held.
10. Fee deposited, or accompanying the application, or, if exemption is claimed, ground of exemption.
11. Any other information that the applicant may desire to enter.

Place.....

Signature.

Date.....

FORM 'B'

See rule 9(4)

License for holding a Dramatic Performance or Entertainment.

Issued under and subject to the Rajasthan Dramatic Performance and Entertainments Ordinance, 1949 (Rajasthan Ordinance No. XXIX of 1949) and rules made thereunder.

Shri.....is hereby licensed to hold a dramatic performance

_____as per details and subject to the conditions given
entertainment
below.

1. Name and address of the licensee.

AND

2. (In the case of associations or institutions not incorporated by law) name and address of the responsible officer who shall be regarded as the licensee as provided in rule 24 of the Rajasthan

Rules and Notifications under

DRUGS ACT, 1940 (CENTRAL ACT No. 23 OF 1940).

THE RAJASTHAN DRUGS RULES, 1954

MEDICAL AND PUBLIC HEALTH DEPARTMENT.

NOTIFICATION

Jaipur, July 22, 1954.

No. F. 16 A (2) M.H./53/6430.—In exercise of the powers conferred by section 33 of the Drugs Act, 1940 (XXIII of 1940) the Government of Rajasthan is pleased to make the following rules, after previous publication and after consultation with the Drugs Technical Advisory Board constituted under section 5 of the aforesaid Act.

Notes.

Section 33 of the Drugs Act, 1940 authorises the State Government to make rules for the purpose of giving effect to the provisions of Chapter III of the Act. Without prejudice to the generality of this power such rules are required to—

- (a) provide for the establishment of laboratories for testing and analysing drugs;
- (b) prescribe the qualifications and duties of Government Analysts and the qualifications of Inspectors;
- (c) prescribe the methods of test or analysis to be employed in determining whether a drug is of standard quality;
- (d) prescribe, in respect of biological and organometallic compounds, the units or methods of standardization;
- (e) prescribe the forms of licences for the manufacture for sale, for the sale and for the distribution of drugs or any specified drug or class of drugs, the form of application for such licences, the conditions subject to which such licences may be issued, the authority empowered to issue the same and the fees payable therefor;
- (f) specify the diseases or ailments which a drug may not purport or claim to prevent, cure or mitigate and such other effects which a drug may not purport or claim to have;
- (g) prescribe the conditions subject to which small quantities of drugs may be manufactured for the purpose of examination, test or analysis;
- (h) require the date of manufacture and the date of expiry of potency to be clearly and truly stated on the label or container of any specified drug or class of drugs, and prohibit the sale, stocking or exhibition for sale, or distribution of the said drug or class of drugs after the expiry of a specified period from the date of manufacture or after the expiry if the date of potency;
- (i) prescribe the conditions to be observed in the packing of bottles, packages and other containers of drugs, and prohibit the sale, stocking or exhibition for sale, or distribution of drugs packed in contravention of such conditions;
- (j) regulate the mode of labelling packed drugs, and prescribe the matters which shall or shall not be included in such labels;
- (k) prescribe the maximum proportion of any poisonous substance which may be added to or contained in any drug, prohibit the manufacture, sale or stocking or exhibition for sale or distribution of any drug in which that proportion is exceeded, and specify substances which shall be deemed to

These rules have been first published in Rajasthan Raj-patra Dated September 18, 1954 part IV (c) at page 287.

be poisonous for the purposes of this Chapter and the rules made thereunder ;

- (i) require that the accepted scientific name of any specified drug shall be displayed in the prescribed manner on the label or wrapper of any patent or proprietary medicine containing such drug ;
- (m) prescribe the form of warranty referred to in sub-section (1) of section 19 ;
- (n) regulate the powers and duties of Inspectors ;
- (o) prescribe the forms of report to be given by Government Analysts, and the manner of application for test or analysis under section 26 and the fees payable therefor ;
- (p) specify the offences against this Chapter or any rule made thereunder in relation to which the stock of the drug shall be liable to confiscation under section 31 ;
- (q) provide for the exemption conditionally or otherwise, from all or any of the provisions of this Chapter or the rules made thereunder, of any specified drug or class of drugs ;

The Government of Rajasthan have exercised this power through the application of the Drugs Rules, 1945, framed by the Central Government, in Rajasthan.

1. *Short title, extent and commencement.*—(1) These rules may be called the "Rajasthan Drugs Rules, 1954."

(2) They extend to the whole of the State of Rajasthan.

(3) They shall come into force on such date as the State Government may by notification in the official Gazette appoint :

Provided that the State Government may, by the said notification, direct that such of the rules applied to the State of Rajasthan by rule 2 of these rules as may be specified shall take effect in the said State only from such later date as the State Government may appoint

2. *Application of Rule 2 and Parts V to XII of the Drugs Rules, 1945.*

Rule 2 and Parts V to XII of the Drugs, Rules 1945 including the connected Forms and Schedules (herein appended) shall apply to the State of Rajasthan as they apply to the State of Delhi :

Provided that all references in the said rules to the Central Government, Government, or Chief Commissioner shall be deemed to be references to the State Government.

DEPARTMENT OF HEALTH NOTIFICATION

New Delhi, the 21st December, 1945.

No. F. 28-10/45—H(1).—In exercise of the powers conferred by sections 6 (2), 12 and 33 of the Drugs Act, 1940 (XXIII of 1940) the Central Government is pleased to make the following Rules:—

PART I—PRELIMINARY.

1. *Short title extent and commencement.*—(1) These rules may be called the Drugs Rules, 1945.

(2) Parts I to IV extend to the whole of British India, and the remaining Parts to the Chief Commissioners' Provinces of Delhi, Ajmer Merwara and Coorg.

(3) They shall come into force on such date as the Central Government may by notification in the official Gazette, appoint :

Provided that the Central Government may, by the said notification, direct that specified Rules take effect only from such later date as it may appoint.

Notes

The Drugs Rules came into force in Rajasthan vide Notification No. 16. A (2) M P H/53 dated 31/1/57 published in Rajasthan Raj-patra part IV (c) dated 21/2/57. This notification was however subsequently cancelled vide Notification No. DC./1/58/834 dated 29/10/58 published in Rajasthan Raj-patra, part IV (c) dated 13/11/58.

2. *Definitions.*—In these Rules, unless there is anything repugnant in the subject or context—

(a) “the Act” means the Drugs Act, 1940 (XXIII of 1940);

(b) “British Pharmacopoeia” and British Pharmaceutical Codex” mean the latest editions of, and include all addenda and supplements for the time being current to, those compilations;

(c) “Director” means the Director of the Central Drugs Laboratory;

(d) “Form” means a form set forth in Schedule A;

(e) “Laboratory” means the Central Drugs Laboratory;

(f) “Sale by way of wholesale dealing” means sale to a person who buys for the purpose of selling again.

(g) “Schedule” means Schedule to these Rules.

PART II.—THE CENTRAL DRUGS LABORATORY.

3. *Functions.*—It shall be the function of the Laboratory—

(i) to analyse or test such samples of drugs as may be sent to it under sub-section (2) of section 11, or under sub-section (4) of section 25, of the Act;

(ii) to grant certificates of registration in respect of patent or proprietary medicines;

(iii) to carry out such other duties as may be entrusted to it, by the Central Government or, with the permission of the Central Government, by a Provincial Government after consultation with the Drugs Technical Advisory Board.

3.A. The functions of the Laboratory in respect of the following drugs or classes of drugs shall be carried out at the Central Research Institute, Kasauli, and the functions of the Director in respect of the said drugs or classes of drugs shall be exercised by the Director of the said Institute.—

(1) Sera.

Amended by Government of India Notification No. F. 28/10/45—H (I) dated 31st March, 1947.

(2) Solution of serum proteins intended for injection.

(3) Vaccines.

(4) Toxins.

(5) Antigens.

(6) Anti-toxins.

(7) Penicillin.

(8) Sterilized surgical ligature and sterilized surgical suture.

(9) Bacteriophages.

4. *Despatch of samples for test or analysis.*—(1) Samples for test analysis under sub-section (4) of section 25 of the Act shall be sent by registered post in a sealed packet, enclosed, together with a memorandum in Form 1, in an outercover addressed to the Director.

(2) The packet as well as the outer cover, shall be marked with a distinguishing number.

(3) A copy of the memorandum in Form 1 and specimen impression of the seal used to seal the packet shall be sent separately by registered post to the Director.

5. *Recording of condition of seals.*—On receipt of the packet, it shall be opened by an officer authorized in writing in that behalf by the Director who shall record the condition of the seal on the packet.

6. *Report of result of test or analysis.*—After test or analysis, the result of the test or analysis, together with full protocols of the tests applied, shall be supplied forthwith to the sender in Form 2.

7. *Fees.*—The fees for test and analysis shall be those specified in Schedule B.

8. *Signature of certificates.*—Certificates issued under these Rules by the Laboratory shall be signed by the Director or by an officer authorized by the Central Government by notification in the official Gazette to sign such certificates.

PART III.—REGISTRATION OF PATENT OR PROPRIETARY MEDICINES.

9.—*Application for registration of patent or proprietary medicines.*—An application for registration of a patent or proprietary medicine, which is required to be registered under the provisions of the Act, shall be made in Form 3 by or on behalf of the manufacturer or by the manufacturer's agent in India to the Director, and shall be accompanied by a sample of the medicine sufficient for test or analysis and by a sealed cover containing a certificate in Form 4 declaring the correct formula of the medicine.

10. *Safe keeping of formulae.*—The sealed cover containing the formula shall be opened by the Director or by an officer authorized in writing by the Director and shall be placed on record in a safe, the key of which shall at all times remain in the personal custody of the Director.

11. *Access to formulae.*—No person other than an officer of the Laboratory authorized in writing by the Director shall have access to a formula deposited in the Laboratory.

12. *Destruction of formulas.*—The formula deposited in the Laboratory shall be destroyed by the Director,—

(i) if the connected application for registration is rejected after the expiry of two years from the date of receipt of the application, or

(ii) if the application is granted but the certificate of registration is subsequently cancelled, after the expiry of two years from the date of such cancellation.

13. *Disclosure of information.*—No person on the staff of the Laboratory shall disclose to any other person not on the staff any information relating to the composition of a particular patent or proprietary medicine acquired in the course of his duties in the Laboratory :

Provided that the Director or any other officer authorized by him in this behalf may, with the previous sanction of the Central Government, disclose any information so acquired to the extent necessary for the purposes of a prosecution under the Act.

14. *Analysis of samples.*—On receipt of an application for registration, the Director may cause a sample to be analysed or tested in order to ascertain whether it is in accordance with the certified formula.

15. *Rejection of application.*—(1) If it appears to the Director that the formula does not indicate correctly all potent or poisonous ingredients contained in the medicine together with an approximate statement of the composition of the medicine or that the labels and wrappers intended to be used do not conform to the provisions of these Rules, he shall reject the application for registration and shall inform the applicant of the reasons for the rejection and supply him with full protocols of the tests, if any, applied.

(2) Such rejection shall not debar the applicant from making a fresh application.

16. *Issue of certificate.*—(1) If the Director is satisfied that the formula indicates correctly all potent or poisonous ingredients contained in the medicine together with an approximate statement of the composition of the medicine, and that the labels or wrappers intended to be used conform to the provisions of these Rules, he shall cause to be issued a certificate of registration in Form 5 and shall assign to the certificate a registration number.

(2) A certificate of registration shall be valid for a period of three years and may be renewed for periods of three years at a time on an application in Form 6 by or on behalf of the manufacturer by the manufacturer's agent in India to the Director.

(3) A certificate of renewal of registration shall be in Form 7.

(4) If an application for renewal of a certificate of registration is made to the Director before the expiry of three years or before the expiry of the period for which it has been renewed the certificate shall continue to be valid until orders are passed by the Director on the application for renewal.

(5) Before granting and application for renewal the Director may require the applicant to furnish a sample of the medicine and specimens of the labels and wrappers used therewith and he may reject the application if he is satisfied that the registered formula does not indicate correctly all potent or poisonous ingredients together with an approximate statements of the composition of the medicine or that the labels or wrappers do not conform to the provisions of these Rules.

17. *Alteration of composition or name.*—If a manufacturer at any time proposes to alter in any way the composition or name of any medicine for which a certificate of registration has been granted, application shall be made for a fresh certificate of registration by the manufacture or his agent in accordance with these Rules.

18. *Fees.*—A fee of fifty rupees shall be paid with each application for a certificate or renewal of a certificate of registration, and shall in no case be refunded to the applicant.

19. *Copies of certificates.*—Copies of all certificates issued under Rule 16 shall be retained in the Laboratory, and may be issued to the manufacturer or his agent on payment of a fee of two rupees for each copy.

20. *Discontinuance of manufacture.*—If the manufacture of any registered patent or proprietary medicine is discontinued, the manufacturer or his agent shall within six months from the date of such discontinuance, give notice of the fact to the Director.

PARTIV.—IMPORT.

21. In this part—

(a) "import licence" means a licence in Form 10 to import drugs specified in Schedules C and C (1);

(b) "licensing authority" means the authority appointed by the Central government to perform the duties of the licensing authority under these Rules and includes any person to whom the powers of a licensing authority may be delegated under Rule 22;

(c) "licence for examination, test or analysis" means a licence in form 11 to import small quantities of drugs the import of which is otherwise prohibited, for the purpose of examination, test or analysis.

22. A licensing authority may with the approval of the Central Government by an order in writing delegate the power to sign licences and such other powers as may be specified in the order to any other person under his control.

23. *Import licences.*—An import licence shall be required for the import of any biological or other special product specified in Schedule C or C (1).

24. *Form and manner of application.*—(1) An application for an import licence shall be made to the licensing authority in

Form 8 by the manufacturer's agent in British India, and shall be accompanied by a fee of rupees ten and by an undertaking in form 9 signed by or on behalf of the manufacturer.

(2) A fee of rupees two shall be paid for a duplicate copy of a licence issued under this Rule, if the original is defaced, damaged or lost.

25. *Licences for import of drugs manufactured by one manufacturer.*—(1) A single application may be made, and a single licence may be issued, in respect of the import of more than one drug or class of drug manufactured by the same manufacturer :

Provided that the drugs or classes of drugs are manufactured at one factory or more than one factory functioning conjointly as a single manufacturing unit :

Provided further that if a single manufacturer has two or more factories situated in different places manufacturing the same or different drugs a separate licence shall be required in respect of the drugs manufactured by each such factory.

(2) The licensing authority may make an endorsement on the original import licence to include new items subsequently manufactured by the same manufacturer and imported by the same importer subject to the condition that an application is made on the appropriate form to cover such items and the prescribed fee deposited.

26. *Conditions of import licence.*—An import licence shall be subject to the following conditions:—

(i) The manufacturer shall at all times observe the undertaking given by him or on his behalf in form 9 ;

(ii) the licensee shall allow any Inspector authorized by the licensing authority in that behalf to enter with or without notice any premises where the imported substance is stocked, to inspect the means, if any, employed for testing the substance and to take samples;

(iii) the licensee shall on request furnish to the licensing authority from every batch of each substance or from such batch or batches as the licensing authority may from time to time specify a sample of such amount as the licensing authority may consider adequate for any examination required to be made, and the licensee shall, if so required, furnish full protocols of the tests, if any, which have been applied;

(iv) if the licensing authority so directs the licensee shall not sell or offer for sale any batch in respect of which a sample is or protocols are furnished under the last preceding sub-rule until a certificate authorizing the sale of the batch has been issued to him by or on behalf of the licensing authority ;

(v) the licensee shall, on being informed by the licensing authority that any part of any batch of the substance has been by the licensing authority not to conform with the standards or strength, quality and purity prescribed by Chapter III of the Act or the Rules thereunder and on being directed so to do withdraw the remainder

of that batch from sale and, so far as may in the particular circumstances of the case be practicable, recall the issues already made from that batch ;

(vi) the licensee shall maintain a record of all sales by him of substances for the import of which a licence is required, showing particulars of the substance and of the person to whom sold and such further particulars, if any as the licensing authority may specify and such record shall be open or the, inspection of any Inspector authorized in that behalf by the licensing authority ;

(vii) the licensee shall comply with such further requirements, if any applicable to the holders of import licences, as may be specified in any Rules, subsequently made under Chapter III of the Act and of which the licensing authority has given to him not less than four months' notice.

27. *Grant of import licence.*—On receipt of an application for an import licence in the form and manner prescribed in Rule 24 the licensing authority shall, on being satisfied that, if granted, the conditions of the licence will be observed, issue an import licence in Form 10.

28. *Duration of import licence.*—An import licence shall be in force for a period of two years from the date of issue, unless it is sooner suspended or cancelled :

Provided that if application for a fresh licence be made three months before the expiry of the existing licence the current licence shall be deemed to continue in force until orders are passed on the application.

29. *Suspension and cancellation of import licence.*—If the manufacturer or licensee fails to comply with any of the conditions of an import licence, the licensing authority may after giving the manufacturer or licensee an opportunity to show cause why such an order should not be passed, by an order in writing stating the reasons therefor, suspend or cancel it for such period as it thinks fit, either wholly or in respect of some of the substances to which it relates :

Provided that a person who is aggrieved by the suspension or cancellation of his licence may, within three months of the date of the order, appeal to the district judge of the district in which the right of appeal accrues or if there is no district judge of the district such judicial officer as the Central Government may appoint in this behalf, having jurisdiction whose decision shall be final.

30. *Prohibition of import after expiry of potency.*—No biological or other special product specified in Schedule C or C (1) shall be imported after the date shown on the label, wrapper or container of the drug as the date up to which the drug may be expected to retain a potency not less than or not to acquire a toxicity greater than, that required, or, as the case may be, permitted by the prescribed test.

31. *Standard for certain imported drugs.*—No biological or other special product specified in Schedule C or C (i) shall be imported unless it complies with the standard of strength, quality and purity, if any, specified in Schedule F, and the tests prescribed in that Schedule shall be applicable for determining whether any such imported drug complies with the said standards.

32. *Packing and labelling of imported drugs.*—No drug shall be imported unless it is packed and labelled in conformity with the Rules in Parts IX and X and Schedule F.

33. *Import of drugs for examination, test or analysis.*—Small quantities of drugs the import of which is otherwise prohibited under section 10 of the Act may be imported for the purpose of examination, test or analysis subject to the following conditions:—

(a) No drug shall be imported for such purpose except under a licence in Form 11;

(b) the licensee shall use the substances imported under the licence exclusively for purposes of examination, test or analysis and shall carry on such examination, test or analysis in the place specified in the licence, or in such other places as the licensing authority may from time to time authorize ;

(c) the licensee shall allow any Inspector authorized by the licensing authority in this behalf to enter, with or without prior notice, the premises where the substances are kept, and to inspect the premises, and investigate the manner in which the substances are being used and to take samples thereof;

(d) the licensee shall keep a record of, and shall report to the licensing authority, the substances imported under the licence, together with the quantities imported, the date of importation and the name of the manufacturer;

(e) the licensee shall comply with such further requirements, if any applicable to the holders of licences for examination, test or analysis as may be specified in any rules subsequently made under Chapter III of the Act and of which the licensing authority has given to him not less than one month's notice.

34. *Application for licence for examination, test or analysis.*—

(1) An application for licence for examination, test or analysis shall be made in Form 12 and shall be made or countersigned, by the head of the institution in which, or by a proprietor or director of the company or firm by which the examination, test or analysis will be conducted.

(2) The licensing authority may require such further particulars to be supplied as he may consider necessary.

35. *Cancellation of licence for examination, test or analysis.*—

(1) A licence for examination, test or analysis may be cancelled by the licensing authority for breach of any of the conditions subject to which the licence was issued.

(a) is a graduate in medicine or chemistry of a university recognized for this purpose by the appointing authority and has not less than three years' post-graduate experience in the analysis of drugs in a laboratory under the control of (i) a Government Analyst appointed under the Act, (ii) a Chemical Examiner to Government, or (iii) a Fellow of the Royal Institute of Chemistry of Great Britain (Branch E), or (iv) the head of an institution specially approved for the purpose by the appointing authority, or

(b) has a first or second class degree in Pharmaceutical Chemistry or Pharmacy, or a postgraduate degree in Chemistry with Pharmaceutics as a special subject from a university recognized for the purpose by the appointing authority and has had not less than two years' post-graduate experience in the analysis of drugs in a laboratory under the control of (i) a Government Analyst appointed under the Act, (ii) a Chemical Examiner to Government, or (iii) a Fellow of the Royal Institute of Chemistry of Great Britain (Branch E), (iv) the head of an institution specially approved for the purpose by the appointing authority; or

(c) is a Fellow of the Royal Institute of Chemistry of Great Britain (Branch E) :

Provided that for the purpose of examination of items 1 to 7, 11 and 14 in Schedule C the person appointed shall be a graduate in medicine or science of a university recognized for the purpose by the appointing authority who can produce evidence of satisfactory training in physiology, bacteriology, serology and pathology and who has had not less than three years' experience of testing biological products in items 1 to 7, 11 and 14 in Schedule C in an institution approved by Government ;

Provided further that for a period of four years from the date on which Chapter IV of the Act takes effect in the Province, persons whose qualifications, training and experience are regarded by the appointing authority as affording subject to such further training, if any, as may be considered necessary, a reasonable guarantee of adequate knowledge and competence may be appointed as Government Analysts:

Provided further that no person shall be appointed for any area who is engaged directly or indirectly in any trade or business connected with the sale of drugs.

45. *Duties of Government Analysts.*—(1) The Government Analyst shall cause to be analysed or tested such samples of drugs as may be sent to him by Inspectors or other persons under the provisions of Chapter IV of the Act and shall furnish reports of the results of test or analysis in accordance with these Rules.

(2) A Government Analyst shall from time to time forward the Government reports giving the result of analytical work and research with a view to their publication at the discretion of Government.

46. *Procedure on receipt of sample.*—On receipt of a package from an Inspector containing a sample for test or analysis, the Government Analyst shall compare the seals on the packet with the specimen impression received separately and shall note the condition of the seals on the package. After the test or analysis has been completed, he shall forthwith supply to the Inspector a report in triplicate in Form 13 of the result of the test or analysis, together with full protocols of the tests applied.

Provided that no protocols of tests shall be supplied in the case of patent and proprietary medicines registered at the Central Drugs Laboratory.

47. *Report of result of test or analysis.*—An application from a purchaser for test or analysis of a drug under Section 26 of the Act shall be made in Form 14-A and the report of test or analysis of the drug made on such application shall be supplied to the applicant in Form 14-B.

48. *Fees.*—The fees to be paid by a person submitting to the Government Analyst under Section 26 of the Act for test or analysis of a drug purchased by him shall be those specified in Schedule B.

Notes.

Rules 47 and 48 prescribe the requirements of section 26 of the Act which reads as under.—

Any person shall, on application in the prescribed manner, and on payment of the prescribed fee, be entitled to submit for test or analysis to a Government Analyst any drug purchased by him and to receive a report of such test or analysis signed by the Government Analyst.

49. *Qualifications of Inspectors.*—A persons who is appointed an Inspector under the Act shall be a persons who—

(a) has a degree in Pharmacy or Pharmaceutical Chemistry or a post-graduate degree in Chemistry with Pharmaceutical as a special subject, of a university recognized for this purpose by the appointing authority; or

(b) is a Member of the Pharmaceutical Society of Great Britain; or

(c) is a graduate in medicine or science of a university recognized for this purpose by the appointing authority and has had at least one year's post-graduate training in a laboratory under (i) a Government Analyst appointed under the Act, or (ii) a Chemical Examiner, or (iii) a Fellow of the Royal Institute of Chemistry of Great Britain (Branch E), or (iv) the head of an institution specially approved for the purpose by the appointing authority.

Provided that only those Inspectors who have had not less than three year's experience in the manufacture and testing of substances specified in Schedule C in a laboratory approved for this purpose by the licensing authority, shall be authorized to inspect the manufacture of items mentioned in Schedule C :

Provided further that for a period of four years from the date on which Chapter IV of the Act takes effect in the Province, persons whose qualifications, training and experience are regarded by the appointing authority as affording, subject to such further training, if any, as may be considered necessary, a reasonable guarantee of adequate knowledge and competence, may be appointed as Inspectors and authorized under the preceding proviso :

Provided further that for the purposes of inspection of retail shops in any specified area any officer of the medical or public health department who is a registered medical practitioner or a graduate in science may be appointed an *ex-officio* Inspector.

50. All Inspectors in a Province shall be under the control of an officer appointed in this behalf by the Chief Commissioner (hereafter referred to as the controlling authority.)

51. *Duties of Inspectors of premises licensed for sale.*—Subject to the instructions of the controlling authority, it shall be the duty of an Inspector authorized to inspect premises licensed for the sale of drugs—

(1) to inspect not less than twice a year all establishments licensed for the sale of drugs within the area assigned to him ;

(2) to satisfy himself that the conditions of the licences are being observed ;

(3) to procure and send for test or analysis, if necessary, samples of any drugs which he has reason to suspect are being sold or stocked or exhibited for sale in contravention of the provisions of the Act or Rules thereunder ;

(4) to investigate any complaint in writing which may be made to him ;

(5) to institute prosecutions in respect of breaches of the Act and rules thereunder ;

(6) to maintain a record of all inspections made and action taken by him in the performance of his duties, including the taking of samples and the seizure of stocks, and to submit copies of such record to the controlling authority ;

(7) to make such enquiries and inspections as may be necessary to detect the sale of drugs in contravention of the Act ;

(8) when so authorized by the Chief Commissioner, to detain imported packages which he has reason to suspect contain drugs, the import of which is prohibited.

52. *Duties of Inspector specially authorized to inspect the manufacture of drugs.*—Subject to the instructions of the controlling authority, it shall be the duty of an Inspector authorized to inspect the manufacture of drugs—

(1) to inspect not less than twice a year, all premises licensed for manufacture of drugs within the area allotted to him and to satisfy himself that the conditions of the licence and provisions of the Act and rules thereunder are being observed ;

(2) in the case of establishments licensed to manufacture products specified in Schedules C and C (1) to inspect the plant and the process of manufacture, the means employed for standardizing and testing the drug the methods and place of storage, the technical qualifications of the staff employed and all details of location, construction and administration of the establishment likely to affect the potency or purity of the product ;

(3) to send forthwith to the controlling authority after each inspection a detailed report indicating the conditions of the licence and provisions of the Act and rules thereunder which are being observed and the conditions and provisions, if any, which are not being observed ;

(4) to take samples of the drugs manufactured on the premises and send them for the test or analysis in accordance with these rules;

(5) to institute the prosecutions in respect of breaches of the Act and Rules thereunder ;

53. *Prohibition of disclosure of information.*—Except for the purposes of official business or when required by a Court of law, an Inspector shall not, without the sanction in writing of his official superior, disclose to any person any information acquired by him in the course of his official duties.

54. *Form of order not to dispose of Stock.*—An order in writing by an Inspector under clause (c) of section 22 of the Act, requiring a person not to dispose of any stock in his possession shall be in Form 15.

55. *Form of receipt of seized drug.*—A receipt by an Inspector for the stock of any drug seized under clause (c) of section 22 of the Act, shall be in form 16.

Notes

The forms in Rules 54 & 55 have been prescribed as required under clause (c) of section 22 of the Act. Sec 22 of the Act reads as under :—

Subject to the provisions of section 23 and of the rules made by the Central Government in this behalf, an Inspector may, within the local limits of the area for which he is appointed,—

- (a) inspect any premises wherein any drug is being manufactured and in the case of sera, vaccines and any other drug prescribed in this behalf the plant and process of manufacture and the means employed for standardizing and testing the drug ;
- (b) take samples of any drug which is being manufactured, or being sold or is stocked or exhibited for sale, or is being distributed ;
- (c) enter and search at all reasonable times, with such assistants, if any, as he considers necessary, any place in which he has reason to believe that an offence under this Chapter has been or is being committed and order in writing the person in possession of any drug in respect of which the offence has been or is being committed, not to dispose of any stock of such drug for a specified period not exceeding twenty days, or, unless the alleged offence is such that the defect may be removed by the possessor of the drug, seize the stock of such drug.
- (d) exercise such other powers as may be necessary for carrying out the purposes of this Chapter or any rules made thereunder.

(2) The provisions of the Code of Criminal Procedure, 1898 shall, so far as may be, apply to any search or seizure under this Chapter as they apply to any search or seizure made under the authority of a warrant issued under section 98 of the said Code.

(3) If any person wilfully obstructs an Inspector in the exercise of the powers conferred upon him by or under this Chapter, he shall be punishable with imprisonment which may extend to three years or with fine, or with both.

56. *Form of intimation of purpose of taking sample.*—Where an Inspector takes a sample of a drug for the purpose of test or analysis, he shall intimate such purpose in writing in Form 17 to the person from whom he takes it.

Notes

The rule meets the requirement of sub-section 3 of section 23 of the Act, sub-section 3 provides that:—

(3) Where an Inspector takes a samples of a drug for the purpose of test or analysis, he shall intimate such purpose in writing in the prescribed form to the person from whom he takes it and, in the presence of such person unless he wilfully absents himself, shall divide the sample into four portions and effectively seal and suitably mark the same and permit such person to add his own seal and mark to all or any of the portions so sealed and marked :

Provided that where the sample is taken from premises where the drug is being manufactured, it shall be necessary to divide the sample into three portions only.

Provided further that where the drug is made up in containers of small volume, instead of dividing a sample as aforesaid, the Inspector may and if the drug be such that it is likely to deteriorate or be otherwise damaged by exposure shall, take three or four, as the case may be, of the said containers after suitably marking the same and, where necessary, sealing them

57. *Procedure for despatch of sample to Government Analyst.*—

(1) The portion of sample or the container sent by an Inspector to the Government Analyst for test or analysis under sub-section (4) of section 23 of the Act, shall be sent by registered post or by hand in a sealed packet, enclosed together with a memorandum in Form 18, in an outer cover addressed to the Government Analyst.

(2) A copy of the memorandum and a specimen impression of the seal used to seal the packet shall be sent to the Government Analyst separately by registered post or by hand.

58. *Confiscation of drugs.*—When any person has been convicted under Chapter IV of the Act for contravening the provisions of sub-clause (1) of clause (a) of section 18 of the Act, or of Rule 110, the stock of the drug in respect of which the contravention has been made shall be liable to confiscation.

PART VI.—SALE OF DRUGS.

59. (1) The Chief Commissioner shall appoint licensing authorities for the purpose of this Part for such areas as may be specified.

(2) Applications for licences to sell, stock and exhibit for sale, and distribute drugs shall be made in Form 19 to the licensing authority; and shall be accompanied by a fee of rupees five.

(3) A fee of rupees two shall be paid for a duplicate copy of a licence issued under this Rule, if the original is defaced, damaged or lost :

Provided that if the applicant fails to apply for a fresh licence before the expiry of the licence in force, the fee for the fresh licence shall be rupees ten.

60. A licensing authority may with the approval of the Central Government by an order in writing delegate the power to sign licences and such other powers as may be specified in the order to any other person under his control.

61. *Forms of licences to sell drugs.*—(1) A licence to sell, stock and exhibit for sale, and distribute drugs other than drugs specified in Schedule C shall be issued in Form 20.

(2) A licence to sell, stock and exhibit for sale and distribute drugs specified in Schedule C shall be issued in form 21.

62. *Sale at more than one place.*—If drugs are sold or stocked for sale at more than one place, separate application shall be made, and a separate licence shall be issued in respect of each such place.

63. *Duration of licences.*—Licences to sell drugs shall, unless sooner suspended or cancelled, be in force for two years from the date of issue :

Provided that if application for a fresh licence is made before the expiry of the period validity of the licence, the licence shall continue to be in force until orders are passed on the application.

64. *Condition to be satisfied before a licence in Form 21 is granted.*—A licence in Form 21 for the sale of biological and other special products specified in Schedule C shall not be granted unless the authority empowered to issue the licence is satisfied that the premises to be licensed are equipped with proper storage accommodation for preserving the properties of the drugs to which the licence applies.

65. *Conditions of licences*—Licences in Form 20 and Form 21 shall be subject to the conditions stated therein and to the following general conditions.—

(1) Any drug specified in Schedule E or any preparation containing any such drug and any drug supplied on the prescription of the registered medical practitioner shall, if compounded or made up on the licensee's premises, be compounded or made up by or under the direct and personal supervision of a qualified person.

(2) The supply otherwise than by way of wholesale dealings, of a drug specified in Schedule E or any preparation containing any such drug, and of any drug supplied on the prescription of a registered medical practitioner shall be effected only by or under the personal supervision of a qualified person.:

Provided that this condition shall not apply to the sale of a preparation containing a drug specified in Schedule E supplied otherwise than on the prescription of a registered medical practitioner if the preparation has been made up for sale in a container elsewhere than on the premises and the container has not been opened since the time when the preparation was made up for sale therein.

(3) The supply of any drug on the prescription of a registered medical practitioner shall be recorded at the time of supply in a prescription register specially maintained for the purpose and the serial number of the entry in the register shall be entered on the prescription. The following particulars shall be entered in the register:—

- (a) Serial number of the entry ;
- (b) the date of supply ;
- (c) the name and address of the prescriber ;
- (d) the name of the patient ;

(e) the name of the drug or preparation and the quantity of in the case of a medicine made up by the licensee, the ingredients and quantities thereof ;

(f) if the drug is a drug specified in Schedule C, the name of the manufacturer, the batch number and the date recorded on the container, label, or wrapper as the date up to which the substance may be expected to retain a potency not less than, or not to acquire a toxicity greater than, that required or permitted by the prescribed test ;

(g) the signature of the qualified person by or under whose supervision the medicine was made up and supplied :

Provided that if the medicine supplied on a prescription on which the medicine has been supplied on a previous occasion, it shall be sufficient if the entry in the register includes a serial number, the date of supply, the quantity supplied and a sufficient reference to an entry in the register recording the dispensing of the medicine on a previous occasion.

(4) The supply of a drug specified in Schedule E or preparation containing any such drug of a drug specified in Schedule C shall be recorded at the time supply in a register specially maintained for the purpose in which the following particulars shall be entered :—

- (a) Serial number of the entry ;

- (b) the date of supply ;

- (c) the name and address of purchaser ;

(d) the name of the drug or preparation and the quantity thereof ;

(e) if the drug is a drug specified in Schedule C, the name of the manufacturer and the batch number ;

(f) the signature of the person under whose supervision the sale was effected ;

Provided that this condition shall not apply to supply on the prescription of a registered medical practitioner or by way of wholesale dealing.

(5) Record shall be maintained of all purchases and sales by way of wholesale dealing of drugs specified in Schedule C and such records shall include the following particulars :—

- (a) the dates of purchase and sale ;

(b) the names and addresses of the concerns from which purchased and the concerns to which sold ;

(c) the names of the drugs, the quantities and the batch numbers ;

(d) the name of the manufacturer.

Such record shall be preserved for three years from the date of the sale of the drug.

(6) The licensee shall produce for inspection by an Inspector appointed under the Act on demand all registers and records maintained under these rules, and shall supply to the Inspector such information as he may require for the purpose of ascertaining whether the provisions of the Act and rules thereunder have been observed.

(7) Except where otherwise provided in these rules, all registers and records maintained under these rules shall be preserved for a period of not less than two years from the date of the last entry therein.

(8) Notwithstanding anything contained in this rule it shall not be necessary to record any particulars in a register specially maintained for the purpose if the particulars are recorded in any other register specially maintained under any other law for the time being in force.

(9) Substances specified in Schedule H and preparations containing such substances shall not be sold by retail except on and in accordance with a prescription of a registered medical practitioner.

Provided that no prescription shall be required for sale or [supply to a registered medical practitioner, hospital, infirmary or] an institution approved by an order of a licensing authority.

(10) For the purposes of clause (9) a prescription shall —

(a) be in writing and be signed by the person giving it with his usual signature and be dated by him ;

(b) specify the name and address of the person for whose treatment it is given ;

(c) indicate the total amount of the medicine to be supplied and the dose to be taken.

(11) The person dispensing a prescription containing a drug specified in Schedule H shall comply with the following requirements in addition to other requirements of these Rules :—

(a) the prescription must not be dispensed more than one unless the prescriber has stated thereon that it may be dispensed more than once ;

(b) If the prescription contains a direction that it may be dispensed a stated number of times or at stated intervals it must not be dispensed otherwise than in accordance with the directions ;

(c) at the time of dispensing there must be noted on the prescription above the signature of the prescriber the name and address of the seller and the date on which the prescription is dispensed.

(12) Substances, specified in Schedule E kept in a retail shop or premises used in connection therewith shall be stored—

(a) in a cupboard or drawer reserved solely for the storage of poisons or

(b) in a part of the premises separated from the remainder of the premises and to which customers are not permitted to have access.

(13) Substances specified in Schedule E shall be kept in containers impervious to the poison and sufficiently stout to prevent leakage arising from the ordinary risks of handling and transport.

(14) A substance specified in Schedule E sold by retail shall be labelled with word "Poison" in such language or languages as the Chief Commissioner may prescribe by notification in the official Gazette.

(15) The description "Chemist," "Druggist," "Chemist and Druggist," "Pharmacy," "Pharmacist," "Pharmaceutist," "Dispenser," "Dispensing Chemist," "Dispensary," "Pharmaceutical Chemist" or any combination of such words, whether in conjunction with other words, or otherwise, shall not be used by the licensee in any advertisement or on any label, signboard or name plate or otherwise in connection with the sale of drugs by retail unless the premises are under the personal supervision of a qualified person.

Explanation.—For the purposes of this Rule, "qualified person" means a person who:—

(a) Holds a degree or diploma in [pharmacy or] pharmaceutical chemistry of an Institution approved by the licensing authority, or

(b) is a member of the Pharmaceutical Society of Great Britain, or

(c) has had not less than four years' practical experience of dispensing which is in the opinion of the licensing authority adequate, and has been approved by that authority as a qualified person.

66. *Cancellation and suspension of licences.*—

(1) The licensing authority may, after giving the licensee an opportunity to show cause why such an order should not be passed by an order in writing stating the reasons therefor, cancel a licence issued under this Part or suspend it for such period as he thinks fit, either wholly or in respect of some of the substances to which it relates if, in his opinion, the licensee has failed to comply with any of the conditions of the licence or with any provisions of the Act or Rules thereunder.

Provided that if such failure or contravention is the consequence of an act or omission on the part of an agent or employee, the licence shall not be cancelled or suspended unless the licensing authority is satisfied:—

(a) that the act or omission was instigated or connived at by the owner of the business or, if the owner is a firm or company, by a partner of the firm or a director of the company; or

(b) that the owner of the business or an agent or employee of the owner had been guilty of a similar act or omission within twelve months before the date on which the act or omission in question took place and that the owner had, or reasonably ought to have had, knowledge of that previous act or omission; or

(c) if the act or omission was a continuing act or omission, that the owner of the business had or reasonably ought to have had, knowledge of that previous act or omission ; or

(d) that the owner of the business had not used due diligence to ensure that the conditions of the licence or the provisions of the Act, or the Rules thereunder were observed.

(2) A licensee whose licence has been suspended or cancelled may appeal to the district judge of the district in which the right of appeal accrues or if there is no district judge of that district such judicial officer as the Central Government may appoint in this behalf within three months of the date of the order.

67. The warranty referred to in sub-section (3), section 19 of the Act shall be either in Form 22 or in Form 23.

PART VII.—MANUFACTURE FOR SALE.

68. *Manufacture on more than one set of premises.*—If drugs are manufactured on more than one set of premises a separate application shall be made and a separate licence shall be issued in respect of each of premises.

69. *Applications for licence to manufacture drugs other than special products.*—

(1) Applications for the grant or renewal of licences to manufacture for sale drugs other than those specified in Schedules C and C (1) shall be made to licensing authority appointed by the Chief Commissioner for the purposes of this Part (hereafter in this Part referred to as the licensing authority) in Form 24 and shall be accompanied by a fee of rupees twenty.

(2) A fee of rupees five shall be paid for a duplicate copy of a licence issued under this Rule, if the original is defaced, damaged or lost.

70. *Form of licence to manufacture drugs other than special products.*—Licences to manufacture for sale drugs other than those specified in Schedules C and C (1) shall be issued in Form 25.

71. *Conditions to be [satisfied before] a licence is granted.*—A licence in Form 25 shall not be granted or renewed unless the licensing authority is satisfied that the manufacture will be conducted under the active direction and personal supervision of a competent technical staff consisting of atleast one person who is—

(1) a graduate in Pharmacy or Pharmaceutical Chemistry of a university recognized by the Central Government for the purposes of this Rule, or

(2) a graduate in science who for the purposes of his degree has studied Chemistry as a principal subject and has had atleast two years' practical experience in the manufacture of drugs, or

(3) a person whose general training knowledge of chemistry and practical experience, extending over not less than three years, in the manufacture of drugs are in the opinion of the licensing authority adequate.

72. *Duration of licence.*—A licence in Form 25 shall unless sooner suspended or cancelled, be in force a period of two years from the date of issue and may thereafter be renewed for periods of two years at a time.

Provided that if application for renewal is made before the expiry of the period of validity of a licence, the licence shall continue in force until orders are passed on such application.

73. *Certificate of renewal.*—The certificate of renewal of a licence in Form 25 shall be issued in Form 26.

74. *Condition of licence.*—A licence in Form 25 shall be subject to the conditions stated therein and to the following conditions:—

(a) The licensee shall provide and maintain an adequate staff and adequate premises and plant for the proper manufacture and storage of the substances in respect of which the licence is issued;

(b) the licence shall comply with the provisions of the Act and of these Rules and with such further requirements, if any, as may be specified in any rules subsequently made under Chapter IV of the Act, of which the licensing authority has given the licensee not less than four months' notice;

(c) the licensee shall allow any Inspector authorized by the licensing authority in that behalf to enter, with or without prior notice, any premises where the manufacture of a substance in respect of which the licence is issued is carried on, to inspect the premises and to take samples of the manufactured product ;

(d) the licensee shall allow an Inspector to inspect all registers and records maintained under these rules and shall supply to the Inspector such information as he may require for the purpose of ascertaining whether the provisions of the Act and Rules thereunder have been observed.

75. *Form of application for licence to manufacture drugs specified in Schedules C and C (i).*—(1) Applications for the grant or renewal of licences to manufacture drugs specified in Schedules C and C (1) shall be made to the licensing authority in Form 27 and shall be accompanied by a fee of rupees twenty and an inspection fee of rupees fifty.

(2) A fee of rupees five shall be paid for a duplicate copy of licence issued under this rule, if the original is defaced, damaged or lost.

76. *Form of licence to manufacture drugs specified in Schedules C and C (1).*—Licences to manufacture for sale drugs specified in Schedules C and C (1) shall be issued in Form 28.

77. *Duration of licence.*—A licence in Form 28 shall, unless sooner cancelled or suspended, be in force for a period of two years from the date of issue, and may thereafter be renewed for periods of two years at a time :

Provided that if application for renewal is made before the expiry of the period of validity of a licence, the licence shall continue in force until orders are passed on the application.

78. *Conditions of licence.*—A licence in Form 28 shall be subject to the special conditions, if any, set out in Schedule F which relate to the substance in respect of which the licence is granted and to the following general conditions :—

(a) (i) The licence shall provide and maintain an adequate staff and adequate premises and plant for the proper manufacture and storage of the substances in respect of which the licence is issued ; (ii) without prejudice to the generality of the foregoing requirement, every holder of a licence who for any purpose engages in the culture or manipulation of pathogenic spore-bearing micro organisms shall provide to the satisfaction of the licensing authority separate laboratories and utensils and apparatus required for the culture or manipulation of such micro-organisms, the laboratories, utensils and apparatus so provided not being used for the manufacture of any other substance ;

(b) the licensee shall either (i) provide and maintain an adequate staff and adequate premises and plant for carrying out such tests of the strength, quality and purity of the substance as may be required to be carried out by him under the provisions of Part X of these Rules, including proper housing for animals used for the purpose of such tests or (ii) make arrangements with some institution approved by the licensing authority for such tests to be regularly carried out on his behalf by that institution ;

(c) the licensee shall keep records of the details of manufacture of each batch of the substance which is issued for sale and of the application of the tests thereto in such form as to be available for inspection and to be easily indentified by reference to the number of the batch as shown on the label of each container, and such records shall be retained in the case of a substance for which a potency date is fixed, for a period of two years from the expiry of such date and in the case of other substance for a period of ten years ;

(d) the licensee shall allow any Inspector, authorized by the licensing authority in that behalf, to enter, with or without prior notice, any premises where the manufacture is carried on and to inspect the premises, and, in the case of substances specified in Schedules C and C (1), to inspect the plant and the process of manufacture and the means employed for standardizing and testing the substance ;

(e) the licensee shall allow an Inspector authorized by the licensing authority under the provisions of condition (d) above to

inspect all registers and records maintained under these rules and to take samples of the manufactured product and shall supply to such Inspector such information as he may require for the purpose of ascertaining whether the provisions of the Act and Rules thereunder have been observed ;

(f) the licensee shall from time to time report to the licensing authority any charges in the expert staff responsible for the manufacture or testing of the substance and any material alterations in the premises or plant used for that purpose which have been made since the date of the last inspection made on behalf of the licensing authority before the issue of the licence ;

(g) the licensee shall on request furnish to the licensing authority or such other authority as the licensing authority may direct from every batch of the substance, or from such batch or batches as the licensing authority may from time to time specify, a sample of such amount as the authority may consider adequate for any examination required to be made and the licensee shall, if so required, furnish full protocols of the tests which have been applied ;

(h) if the licensing authority so directs, the licensee shall not sell or offer for sale any batch in respect of which a sample is, to protocols are furnished under the last preceding sub-paragraph until a certificate authorizing the sale of the batch has been issued to him by or on behalf of the licensing authority ;

(i) the licensee shall on being informed by the licensing authority that any part of any batch of the substance has been found by the licensing authority not to conform with the standards of strength, quality or purity specified in these rules and on being directed so to do, withdraw the remainder of that batch from sale and so far as may in the particular circumstances of the case be practicable, recall all issues already made from that batch ;

(j) no drug manufactured under the licence shall be sold unless the precautions necessary for preserving its properties have been observed throughout the period after manufacture ;

(k) the licensee shall comply with the provisions of the Act and of these rules and with such further requirements, if any, as may be specified in any Rules subsequently made under Chapter IV of the Act, of which the licensing authority has given the licensee not less than four months' notice

79. *Inspection before grant of licence.*—Before a licence in Form 28 is issued the licensing authority shall cause the establishment on which the manufacture is proposed to be conducted to be inspected by one or more Inspectors appointed by it for the purpose, and the Inspector or Inspectors shall examine all portions of the premises and the plant and appliances, inspect the process of manufacture intended to be employed and the means to be employed for standardizing and testing the substances to be manu-

factured and enquire into the professional qualifications of the technical staff to be employed.

80. *Report by Inspector.*—The Inspector or Inspectors shall forward to the licensing authority a detailed descriptive report of the result of inspection.

81. *Procedure of licensing authority.*—

(1) If the licensing authority, after such further enquiry, if any, as he may consider necessary, is satisfied that the requirements of the Rules under the Act have been complied with and that the conditions of the licence and the Rules under the Act will be observed, he shall issue a licence in Form 28.

(2) If the licensing authority is not so satisfied, he shall reject the application and shall inform the applicant of the reasons for such rejection and of the conditions which must be satisfied before a licence can be granted and shall supply the applicant with a copy of the inspection report.

82. *Further application after rejection.*—If within a period of six months from the rejection of an application for a licence the applicant informs the licensing authority that the conditions laid down have been satisfied and deposits an inspection fee of rupees thirty, the licensing authority may, if after causing a further inspection to be made, he is satisfied that the conditions for the grant of a licence have been complied with, issue a licence in Form 28.

83. *Renewal.*—On application being made for renewal, the licensing authority may cause an inspection to be made and, if satisfied that the condition of the licence and the rules under the Act are, and will continue to be observed, shall issue a certificate of renewal in Form 26.

84. The provisions of this part shall apply to the manufacture of drugs for sale notwithstanding that such drugs are manufactured for sale outside India.

85. *Cancellation and suspension of licences.*—

(1) The licensing authority may, after giving the licensee an opportunity to show cause why such an order should not be passed, by an order in writing stating the reasons therefor, cancel a licence issued under this Part or suspend it for such period as he thinks fit, either wholly or in respect of some of the substances to which it relates, if, in his opinion, the licensee has failed to comply with any of the conditions of the licence or with any provision of the Act or Rules thereunder.

(2) A licensee whose licence has been suspended or cancelled may appeal to the district judge of the district in which the right of appeal accrues or if there is no district judge of that district such judicial officer as the Central Government may appoint in this behalf within three months of the date of the order.

PART VIII.—MANUFACTURE FOR EXAMINATION,
[TEST OR ANALYSIS.]

86. *Conditions relating to manufacture for examination, test or analysis.*—The provisions of section 18 of the Act shall not apply to the manufacture of any drug in small quantities for the purpose of examination, test or analysis if the conditions prescribed in this Part are fulfilled.

87. *Labelling.*—Any drug manufactured for the purpose of examination, test or analysis shall be kept in containers bearing labels indicating the purpose for which it has been manufactured.

88. *Labelling of drugs supplied to other persons.*—If any drug manufactured for the purpose of examination, test or analysis is supplied by the manufacturer to any other person, the container shall bear a label on which shall be stated the name and address of the manufacturer, the accepted scientific name of the substance if known, or if not known a reference which will enable the substance to be identified and the purpose for which it has been manufactured.

89. *Licence.*—If the person proposing to manufacture a drug for the purpose of examination, test or analysis does not hold a licence in Form 25 or Form 28 in respect of such drug he shall, before commencing such manufacture, obtain a licence in Form 29.

90. *Form of application.*—An application for a licence in Form 29 shall be made to the licensing authority appointed by the Chief Commissioner for the purposes of this Part (hereafter in this Part referred to as the licensing authority) in form 30 and shall be made by or countersigned by the head of the institution in which, or a director of the firm or company by which, the substance will be manufactured.

91. *Duration of licence.*—A licence in Form 29 shall, unless sooner cancelled, be in force for a period of one year from the date of issue, and may thereafter be renewed for periods of one year at a time.

92. *Conditions of licence.*—A licence in Form 29 shall be subject to the following conditions:—

(a) The licensee shall use the drugs manufactured under the licence exclusively for purpose of examination, test, or analysis, and shall carry on the manufacture and examination, test or analysis at the place specified in the licence ;

(b) the licence shall allow any Inspector authorized by the licensing authority in that behalf to enter, with or without notice the premises where the drugs are manufactured and to satisfy himself that only examination, test or analysis work is being conducted.

(c) the licensee shall keep a record of the quantity of drugs manufactured for examination, test or analysis and of any person or persons to whom the drugs have been supplied;

(d) the licensee shall comply with such further requirements if any, applicable to the holders of licences in from 29 as may be, specified in any Rules subsequently made under the Act, and of which the licensing authority has given him not less than one month's notice.

93. *Cancellation of licenses—*

(1) The licensing authority may, after giving the licence an opportunity to show cause why such an order should not be passed, by an order in writing stating the reasons therefor, cancel a licence issued under this Part either wholly or in respect of some of the substances to which it relates, if, in his opinion, the licensee has failed to comply with any of the conditions of the licence or with any provision of the Act or Rules thereunder.

(2) A licensee whose licence has been cancelled may appeal to the district judge of the district in which the right of appeal accrues or if there is no district judge of that district such judicial officer as the Central Government may appoint in this behalf within three months of the date of the order.

PART IX.—LABELLING AND PACKING.

94. *Exemption of certain drugs from certain provision of this part.—*

(1) The provisions of this Part shall not apply to a drug sold for export to a place outside India.

(2) The provisions of Rules 96 to 101 inclusive shall not apply to a medicine made up ready for treatment, whether after or without dilution, which is supplied on the prescription of a registered medical practitioner by a person licensed under these Rules to sell drugs, provided that if the medicine contains a substances specified in Schedule E, the following conditions are satisfied.—

(a) The medicine shall be labelled with the name and address of the licensee by whom it is supplied.

(b) If the medicine is for external application it shall be labelled in the manner prescribed in Rule 98 with the word "Poison" and with the words "For external use only".

(c) If the medicine is for internal use, it shall be labelled with the dose.

(d) Condition (3) of the conditions in Rule 65 shall be satisfied.

95. *Prohibition of sale or distribution unless labelled.—* Subject to the other provisions of these Rules, no person shall sell or distribute any drug (including a patent or proprietary medicine) unless it is labelled in accordance with these Rules.

96. *Manner of labelling.—*(1) Subject to the other provision of these Rules, the particulars with which the container of any drug is required to be labelled under this Part shall appear in a conspicuous position on the innermost container in which the drug is packed and on every other covering in which that container is packed :

Provided that when the drug is contained in an ampoule it shall only be necessary, except where otherwise provided in these rules, to label the ampoule itself, with (1) the name and quantity of the drug and (2) the name of the manufacturer.

(2) Nothing in these Rules shall be deemed to require the labelling of any transparent cover or of any wrapper, case or other covering used solely for the purpose of packing, transport or delivery.

(3) Whereby any provision of these rules any particulars are required to be displayed on a label, on the container, such particulars may, instead of being displayed on a label, be etched painted, or otherwise indelibly marked on the container :

Provided that, except where otherwise provided in these Rules the name of the drug or any distinctive letters intended to refer to the drug shall not be etched, painted or otherwise indelibly marked on any glass container other than ampoules.

97. *Labelling of medicines.*—(1) The container of a medicine for internal use made up ready for the treatment of human ailments shall.—

(a) If it contains a substance specified in Schedule E, and not specified in Schedule G, be labelled with the words "Poison".

(b) If it contains a substance specified in Schedule G, be labelled with the words "Caution. It is dangerous to take this preparation except under medical supervision."

(2) The container of embrocation, liniment, lotion liquid antiseptic or other liquied medicine for external application, which is made up ready for the treatment of human ailments, shall, if the medicine contains a substance specified in Schedule E, be labelled with the words "Poison. For External use only".

(3) The container of a medicine made up ready for the treatment of animal shall if the medicine contains a substance specified in Schedule E, be labelled with the words "Poison. For animal treatment only."

(4) The container of a medicine which is not made up ready for treatment shall, if the medicine contains a substance specified in Schedule E, be labelled with the word "Poison".

Explanation.—A medicine shall be deemed to be made up ready for treatment if it is made up and labelled with a dose ready for use, whether after or without dilution.

98. *Manner of labelling.*—The words with which a container of a medicine is required to be labelled under Rules 97 shall—

(a) if the medicine contains a substance specified in Schedule E either be in red lettering or be set against a red background, and

(b) in all cases shall either be on a separate label or be surrounded, by a line within which there shall be no other words except words with which the container is required to be labelled under these Rules.

99. *Labelling with the name and address of seller.*—The container of any substance specified in Schedule E, or preparation containing such substance shall be labelled with the name and address of the seller and the address of the premises on which it was sold.

Provided that when the substance or preparation is sold in a container and outer covering, it shall be sufficient if the name and address of the seller appears either on the container or on the outer covering.

Provided further that when the substance or preparation is supplied from a warehouse or depot in the course of wholesale dealing it shall be sufficient if the container is labelled with the seller's principal place of business.

100. *Labelling with the name of substance.*—(1) Subject to the provisions of this rule, the container of any substance specified in Schedule E, or preparation containing such substance shall be labelled with the name of such substance.

(2) For the purpose of this Rule, the name of a substance shall be the term under which it is included in Schedule E :

Provided that, where the said term describes a group of substances and not the substance specifically, the name of the substance shall be:—

(a) If the preparation is included in the British Pharmacopoeia or the British Pharmaceutical Codex, one or other of the names or synonyms or abbreviated names set out therein; or

(b) in any other case the accepted scientific name where known, or if not known the name descriptive of the true nature or origin of the substance.

(3) In the case of a preparation included in the British Pharmacopoeia or the British Pharmaceutical Codex, or any dilution or admixture of such a preparation, or any surgical dressing for which a standard is prescribed in the British Pharmaceutical Codex, it shall be sufficient, notwithstanding anything in the foregoing sub-rules, to state the name, synonym or abbreviated name used to describe the preparation or surgical dressing in the British Pharmacopoeia or the British Pharmaceutical Codex, with the addition of the letters "B.P." or "B.P.C." as the case may be.

101. *Labelling with statement of quantity.*—(1) Subject to the provision of this Rule, the label of the container of any preparation containing not less than 3 per cent by volume of alcohol or a substance specified in Schedule E, shall include a statement of the quantity of alcohol or of the said substance contained in the preparation as hereafter provided.

(2) If the preparation contains alcohol, the quantity of alcohol shall be stated in terms of the average percentage by volume of absolute alcohol in the finished product.

(3) If the preparation contains a substance specified in Schedule E, the quantity shall be stated, in the case of a liquid, in terms of grains or minims per fluid ounce, in the case of a solid, in terms of grains or minims per avoirdupois ounce :

Provided that the quantity may be stated in terms of the metric system:

Provided also that when two or more pills, wafers, tablets, powders, capsules or the like are packed in the same container, the quantity shall be stated in terms of the quantity present in each pill, wafer, tablet, powder, capsule or other unit.

(4) In the case of a preparation containing a substance specified in Schedule I, it shall be sufficient to state on the label the particulars specified in that Schedule.

(5) In the case of a preparation included in the British Pharmacopoeia or the British Pharmaceutical Codex or any dilution or admixture of such a preparation or a surgical dressing for which a standard is prescribed in the British Pharmaceutical Codex the container of which is labelled with the name used to describe the article in the British Pharmacopoeia or the British Pharmaceutical Codex with the addition of the letters "B.P." or "B.P.C." as the case may be, it shall not be necessary to state on the label the proportion of the substance specified in Schedule E contained in the preparation.

102 *Non-Sterile Surgical Ligature and Suture.*—Every container of, and wrapper enclosing surgical ligature or suture other than a ligature or suture offered or intended to be offered for sale as sterile shall bear a label on which are printed or written in a conspicuous manner in indelible red ink the words "Non-sterile surgical ligature (suture)—not to be used for operations upon the human body unless efficiently sterilized and tested for sterility by the processes prescribed by Rules under the Drugs Act, 1940".

103. *Additional provisions for patent or proprietary medicines.*—(1) There shall be printed or written in indelible ink on the outer label of every package, containing a registered patent or proprietary medicine the letters "CDL" followed by the registration number of the medicine allotted by the Central Drugs Laboratory; and no other reference to the certificate of registration or to the fact of registration shall be made on any label on the container or any covering in which the container is packed or on any other written matter or advertisement enclosed therein.

(2) The Name and address of the manufacturer shall be printed on the label of the container of a patent or proprietary medicine.

(3) The true formula or list of ingredients shall be printed or written in indelible ink on the outer label of every package containing an unregistered patent or proprietary medicine.

104. *Use of letter B. P. and B. P. C.*—The letters "B.P." [and 'B.P.C.'] shall be entered on the label on a drug only for the pur-

pose of indicating that the drug is in accordance with the standard set out in the British Pharmacopoeia or the British Pharmaceutical Codex as the case may be.

105. *Packing of patent or proprietary medicines.*—A patent or proprietary medicine shall be made up in containers intended for retail sale.

106. *Diseases which a drug may not purport to cure.*—No drug may purport or claim to cure any disease or ailment specified in Schedule J, or to procure or assist to procure the miscarriage of women.

PART X.—SPECIAL PROVISIONS RELATING TO BIOLOGICAL AND OTHER SPECIAL PRODUCTS.

107. *Name of substance.*—If any substance specified in Schedule C is advertised or sold as a proprietary medicine or is contained in a medicine so advertised or sold, the proper name of the substance shall appear on the label in the manner prescribed in this Part.

Explanation.—For the purpose of this Rule, the expression “proper name” means the proper name stated in Schedule F or if no such name is stated the name descriptive of the true nature and origin of the substance”.

108. *Containers.*—(1) No substance specified in Schedule C shall be sold or offered for sale unless it has been sealed in a previously sterilized glass container in such manner as will in the opinion of the licensing authority suffice to preclude the access of bacteria:

Provided that in the case of surgical ligature or suture the container may be of some substance other than glass.

(2) When any such substance is issued in liquid from in containers which are sealed in such a manner that portions of the contents can be withdrawn for use on different occasions, the liquid shall contain a sufficient proportion of some antiseptic to prevent the growth of any organism which may be accidentally introduced in the process of removing a portion of the contents of the container.

(3) The container shall comply with such further requirements, if any, as are specified in Schedule F in that behalf.

(4) The licensing authority may in the case of any particular preparation of any such substance dispense with any of the requirements of this Rule or of Schedule F, and may make such additional requirements, as having regard to the nature of the preparation, they may deem necessary.

109. *Labelling.*—(1) Every phial, ampoule or other container of a substance specified in Schedule C shall bear a label on which is printed or written in indelible ink the following particulars and such further particulars, if any, as are specified in Schedule F :—

(a) The proper name of the substance in letters not less conspicuous than those in which the proprietary name, if any, is printed

or written and following immediately after or under such proprietary name ;

(b) the number of every licence under which the substance or any of its constituents is manufactured or imported, preceded in the case of import licences by the words "Import Licence";

(c) a distinctive batch number, that is to say, the number by reference to which the prescribed tests, and details of manufacture of the particular batch from which the substance in the container is taken are permanently recorded and available for inspection;

(d) Where a test for potency in units is required by these Rules, a statement of the potency in units defined in terms of relation to the standard preparation specified in Schedule F :

Provided that this clause shall not apply in the case of vaccine lymph or surgical ligature or suture.

(2) The particulars prescribed in clauses (a), (b) and (c) of the preceding sub-rule shall be printed or written in indelible ink either on the label borne by a container of vaccine lymph or on a label or wrapper affixed to any packages in which the container is issued for sale. The said particulars shall be indelibly marked on the sealed container of surgical ligature or suture or printed or written in indelible ink on a label enclosed therein.

(3) The following particulars and such further particulars, if any as are specified in Schedule F shall be printed or written in indelible ink either on the label borne by the container of any substance specified in Schedule C or on a label or wrapper affixed to any package in which any such container is issued for sale :—

(a) The name and address of the manufacturer of the final product ;

(b) the date on which the manufacture of the particular batch from which the substance in the container is taken was completed as defined in Schedule F or if there is no definition in Schedule F as hereafter defined in this Rule, and in the case of vaccines prepared from concentrates, the date of completion of the final products and the bottling for issue ;

(c) Where a test for maximum toxicity is required by these Rules a statement that the substance has passed such test ;

(d) where a test for potency or maximum toxicity is required, the date up to which the substance is kept under suitable conditions, may be expected to retain a potency not less than stated on the label of the container, or not to acquire a toxicity greater than that permitted by the test, as the case may be ;

(e) where an antiseptic substance has been added, the nature and the percentage proportion introduced ;

(f) the precautions necessary for preserving the properties of the contents to the date indicated in sub-paragraph (d) of this subrule.

(4) For the purposes of clause (b) of the last preceding sub-rule the date on which the manufacture of a batch is completed shall be—

(a) in cases where a test for potency or toxicity is required by these Rules or, not being so required, is accepted by the licensing authority as sufficient for the purpose of fixing the date of completion of manufacture the date on which the test was completed, or the date on which the substance was removed from cold storage after having been kept at a temperature not exceeding 5°C. continuously for a period not exceeding two years from the time when the last test was completed ;

(b) in cases where no such test is required or accepted (i) if the substance is a serum obtained from living animals, the earliest date on which any material contributing to the batch was removed from the animal, (ii) if the substance was obtained by the growth of organisms on artificial media, the earliest date on which growth was terminated in any of the material contributing to the batch, and (iii) if the substance is a brain suspension used in the preparation of carbolised antirabic vaccine, the earliest date on which any brain material contributing to the batch was removed from the passage animal :

Provided that, in cases where no such test is required or accepted, if a batch of the substance (including all materials contributing to this batch) has for a period of not more than three years been kept in cold storage at a temperature not exceeding 5°C. continuously from the earliest practicable date after that on which the material was removed from the animal or on which growth was terminated in the material, as the case may be, the date of removal from cold storage shall be treated as the date on which the manufacture of the batch is completed.

110. *Prohibition of sale of substance after prescribed date.*—No person shall sell, or exhibit for sale any substance specified in Schedule C after the date recorded on the container, label or wrapper as the date up to which the substance may be expected to retain a potency not less than, or not to acquire a toxicity greater than, that required or permitted by the prescribed test as the case may be :

Provided that a person may at the request of a registered medical practitioner sell after the date aforesaid any such substance (except one that is required to be tested for maximum toxicity) which loses its potency, if he has previously drawn the practitioner's attention to the dates recorded on the container, label or wrapper, and the practitioner is satisfied that the sale is required by the urgency of the case.

111. *Standards.*—Every substance specified in Schedules C and C(1) intended for shall conform with the standards of strength, quality and purity specified in these Rules and in Schedule F, and the tests for determining such conformity shall be applied to samples

taken from the final product after every manufacturing process has been completed.

112. *Tests for strength and quality.*—The tests, if any, required for determining the strength and quality of each of the substance specified in Schedules C and C(1) shall be those set out in Schedule F.

113. *Tests for sterility.*—The tests for sterility in the case of surgical ligature or suture shall be that prescribed in Part X of Schedule F.

114. The following tests for the presence of living aerobic or anaerobic bacteria shall be made by the manufacturer or by some institution approved by the licensing authority for the purpose of carrying out tests on his behalf in the case of—

- (a) sera and solutions of serum proteins intended for injection;
- (b) the bacterial vaccines to which Part I (A) of Schedule F applies,
- (c) carbolised antirabic vaccine ;
- (d) toxins, antigens and mixtures of toxins or antigens with serum which are intended to be used in medical practice for immunizing treatment or for diagnosis by inoculation of the patient ;
- (e) solutions and suspensions of insulin ;
- (f) dry preparations of insulin intended for therapeutic use ;
- (g) preparations of the posterior lobe of the pituitary body intended for use by injection, except preparations which, after being sealed in the containers, have been sterilized by heat in a manner satisfactory to the licensing authority ; and
- (h) any other preparations in a form to be administered parenterally except preparations which, after being sealed in containers, have been sterilized by heat in a manner satisfactory to the licensing authority ;
- (i) preparations from cultures of pathogenic organisms in a form to be administered orally, which must be sterile :

Provided that—(i) in the case of dry preparations of insulin the tests shall be applied with such modifications as the licensing authority considers appropriate ; and (ii) if a manufacturer satisfies the licensing authority that he has already in use tests for the presence of living aerobic or anaerobic bacteria in any of the above named substances, and that these, tests as applied by him, will detect the presence of such bacteria in the substance as ready for issue with a certainty at least equal to that afforded by the application of the tests prescribed by this Part, the licensing authority may approve the use of such tests in the place of the prescribed tests, but in such a case the authority may at any time withdraw such approval and require the manufacturer to carry out the prescribed tests.

115. *Application of tests for sterility.*—The tests shall be applied—

(a) to samples taken from each batch of the substance before the operation of filling and sealing the containers in which it is to be issued has commenced ; and

(b) to the contents of sample containers when ready for issue.

116. *Amount of samples.*—The samples required to be taken under the last preceding Rule shall be taken in the following proportions :—

(a) in the case of samples taken from the batch, the quantity taken shall be not less than 0.1 per cent of the total volume of the batch if the volume is not more than 10 litres, and not less than 10 c. c. if the volume is 10 litres or more, but shall in no case be less than 1 c. c. :

Provided that if at the time when the test is made, the batch is contained in a number of bulk container. samples in the foregoing proportions shall be taken from each of such bulk containers and be separately tested;

(b) in the case of the contents of sample containers the number of containers taken for tests shall be not less than 1 per cent of the total number filled from the batch, if this number is not more than 1,000, and not less than 10 containers if the total number is more than 1,000.

117. *Method of preparing and using media.*—(1) The tests shall be made on fluid media, the quantity of medium contained in each tube or other vessel used in the test being such as to secure that any phenolic antiseptic present in the sample is diluted to less than 0.01 per cent.

When an antiseptic other than a phenolic antiseptic is used the dilution to be employed shall be that approved by the licensing authority.

(2) In the case of a test for aerobic organisms the medium shall consist either of a meat extract with the addition of 1 per cent of peptone, or of such an equivalent as can be prepared by the tryptic digestion of muscle or any other medium approved by the licensing authority. After the final sterilization the hydrogen-ion concentration of the medium shall be between the limits represented by $pH=7.2$ and $pH=7.8$.

(3) In the case of a test for anaerobic organisms the medium shall consist of a nutrient broth similar to that used in testing for aerobic organisms, with addition of heat coagulated muscle of an amount sufficient to occupy a depth of not less than 1 centimetre at the bottom of the tube. After the final sterilization the hydrogen-ion concentration of the medium shall be between the limits represented by $pH=7.2$ and $pH=7.8$. Before the test inoculation the medium shall be heated to $100^{\circ}C.$ for a period sufficient to free it completely from dissolved oxygen, and then be cooled to $37^{\circ}C.$ or lower.

(4) The licensing authority may, at the request of any licensee, authorize the use, for the test prescribed under either Sub-rule (2) or (3) of this Rule, of any other specified medium or method of using a specified medium, on being satisfied that its use affords equal certainty in the detection of the presence of living aerobic or anaerobic organisms, as the case may be.

118. *Method of testing*.—(1) in the case of samples taken from the batch each sample shall be inoculated into tubes or other vessels containing the media, one-half of the total volume of the sample being used for the aerobic and one half for the anaerobic test.

(2) In the case of the contents of sample containers the contents of each container shall be subjected to the test for aerobic and the test for anaerobic organisms. When the volume in the container is 2 c. c. or more, 1 c. c. shall be used for each test. When the volume in the container is less than 2 c. c. the contents shall be divided into two approximately equal parts, one part being used for the aerobic and the other for the anaerobic test.

(3) The inoculated tubes shall be incubated at 37°C. for five days and be examined after incubation, permanent records being kept of the examination of each tube.

119. (1) If at this examination no growth of micro-organisms is found in any tube, the sample may be treated as having passed the test.

(2) If at the examination a growth of micro-organisms is visible, further samples may be taken and the tests may be repeated on the further samples so taken; but no container the contents of which form part of the batch shall be issued until such further samples have passed the test. The process of taking samples from the batch for a test may be repeated twice :

Provided that if the same organism is visible in more than one test, the batch shall be treated as not sterile and the material contained in the batch shall not be issued or used as part of a further batch unless and until it has been re-sterilized and has passed the tests.

120. Notwithstanding anything contained in the last preceding Rule, in any case where—

(a) a substance is required in an emergency by a registered medical practitioner, but the licensee has no filled containers in stock ; or

(b) a substance which in the opinion of the licensing authority is so unstable in solution that the delay occasioned by the completion of the sterility test on filled containers would render its issue in active form impossible, the licensee may issue the substance from a batch which has already passed the tests for sterility and freedom from abnormal toxicity, without completing the sterility test on the

filled container, provided that he complies with the following conditions :—

(i) the licensee shall before the issue take samples in the required proportions from the containers into which the batch is filled, and after the required inoculation and incubation shall examine the tubes every day for five days ;

(ii) if at any examination any growth is visible in any of the tubes, he shall immediately notify the licensing authority ;

(iii) he shall keep available for inspection a record of all issues made under this Rule containing such particulars of the circumstances in which the issue is made as the licensing authority may require.

121. *Test for freedom from abnormal toxicity.*—The following tests for freedom from abnormal toxicity shall, in the case of each batch of serum, be made by the licensee or by some institution approved by the licensing authority for the purpose of carrying out the tests on his behalf:—

(a) A dose of 0.5 c.c. of the serum shall be injected subcutaneously into a normal mouse and the serum may be treated as having passed the test for [freedom from an excess of phenolic antiseptic if the injection does not] produce death or serious symptoms within [seven days ; and]

(b) a dose of not less than 5 c.c. of the serum shall be injected subcutaneously [or intraperitoneally] into a normal guinea-pig and the serum shall be treated as having passed the test for freedom from other abnormal toxic constituents if the injection does not produce death or serious symptoms within seven days.

122. *Substances specified in Schedule C(i).*—The following provisions shall apply in the case of a substance specified in Schedule C(1):—

(a) The container shall comply with the requirements, if any, specified in Schedule F.

(b) There shall be printed or written in indelible ink on the label—(i) the proper name of the substance; (ii) the number of the licence under which the substance is manufactured or imported, preceded in the case of import licences by the words "Import Licence"; (iii) a batch number, that is to say the number by reference to which the prescribed tests and details of manufacture of the particular batch from which the substance in the containers is taken are permanently recorded and available for inspection; (iv) when a test for potency in units is required by these rules, a statement of the potency in units defined in terms of relation to the standard preparation specified in Schedule F.

(c) The substance shall conform with the standards of strength, quality and purity specified in Schedule F and the test for determi-

ning the strength, quality and purity of the substance shall be those specified in Schedule F.

(d) The test for determining the strength quality and purity of a substance specified in Schedule F shall be applied to samples taken from the final product after each manufacturing process has been completed.

(e) The substance should be stored in a cool place and away from light.

PART XI.—EXEMPTION.

123. The drugs specified in Schedule K shall be exempted from the provisions of Chapter IV of the Act and the Rules made thereunder to the extent and subject to the conditions specified in that Schedule.

PART XII.—STANDARDS.

124. (1) Indian Pharmacopoeial List 1946, the United States Pharmacopoeia and the National Formulary of the United States shall be deemed to be prescribed pharmacopoeias for the purpose of the Schedule to the Act.

(2) For drugs for which no standards of identity, purity and strength are specified in the latest edition of the British Pharmacopoeia but are specified in the British Pharmaceutical Codex the standards shall be those given in the British Pharmaceutical Codex.

(3) For drugs for which no standards of identity, purity and strength are specified in the latest edition of the British Pharmacopoeia or in the British Pharmaceutical Codex but are specified in the earlier editions of the British Pharmacopoeia the standards of identity, purity and strength for these drugs shall be those occurring in the latest edition of the British Pharmacopoeia in which they are given.

SCHEDULE A

FORM 1.

(See Rule 4.)

Memorandum to the Central Drugs Laboratory

Serial Number.....

To the Director, Central Drugs Laboratory....

From

I send herewith, under the provisions of Section 25 (4) of the Drugs Act, 1940, samples (s) of a drug purporting to be for test or analysis and request that a report of the result of the test or analysis may be supplied to this Court.

2. The distinguishing number on the packet is.....
3. Particulars of offence alleged
4. Matter on which opinion is required.....
5. A fee of Rs.....has been deposited in Court.

Date.....

Magistrate

FORM 2.

(See Rule 6.)

Certificate of test or analysis by the Central Drugs Laboratory

Certified that the samples, bearing number....purporting
to be a sample of....received on.....with memorandum
Nodated from.....
has been tested/analysed and that the result of such test/analysis is
as stated below.

2. The condition of the seals on the packet on receipt was as
follows:—

..... is of standard quality as

3. In the opinion of the undersigned.....
the sample..... is not of standard quality

defined in the Drugs Act, 1940, and Rules thereunder
..... given below:—

as defined in the Drugs Act, 1940, and rules thereunder
for the reasons.

Director,

Date.....Central Drugs Laboratory, or other authorized officer.

Details of results of test or analysis with protocols of tests applied.

Director,

Central Drugs Laboratory, or other authorized officer.

FORM 3.

(See Rule 9)

Application for a certificate of registration of a patent or proprietary medicine

I hereby apply for a certificate of registration of the patent or
pro-proprietary medicine described below:—

[1] Name of medicine (as proposed to be printed on labels and
wrappers)

[2] Trade mark (if any)

[3] Name of manufacture

[4] Address of manufacture

[5] Name and address of person applying for registration

[6] Purposes for which medicine is to be used

[7] Directions for use

[8] Proportion by volume of alcohol percent

[9] If the medicine contains over 3 per cent of alcohol by volu-
me, name and quantity per fluid ounce of ingredients present which
render the medicine unfit for use as an alcoholic beverage,

2 I send herewith a sample of the medicine sufficient for
test or analysis and copies of the labels and wrappers intended to be
used.

3. I enclose in a sealed cover the formula or list of ingredients
with amounts present.

4. A fee of rupees fifty is forwarded herewith.

Date.....

Signed.....

FORM 4.

(See Rule 9)

Enclosure to application for a certificate of registration.

I hereby certify that the following formula or list of ingredients of the patent or proprietary medicine to be sold under the name ofand manufactured by indicates correctly all patent or poisonous substances contained therein together with an approximate statement of the composition of the medicine.

*Formula.**(Signed).....**Date.....*

FORM 5,

(See Rule 16 (1).)

Certificate of registration of a patent or proprietary medicine.

.....having applied for a certificate of a registration in respect of the patent/proprietary medicine marketed under the name of manufactured by ofand having deposited with the Central Drugs Laboratory the formula of the said medicine in accordance with the requirements of the Drugs Act, 1940, and the Rules thereunder, the said medicine has been registered and allotted the registration number... thisday of.....19.....

*Director.**Central Drugs Laboratory, or other authorized officer.**Date.....*

FORM 6.

(See Rules 16 (2))

Application for renewal of a Certificate of registration of a patent or proprietary medicine

I hereby apply for renewal of a certificate of registration of the patent/proprietary medicine marketed under the name of..... which was registered and allotted the registration number.....on theday of.....19.....

*(Signed).....**Date.....*

FORM 7.

(See Rule 16 (3))

Certificate of renewal of registration of a patent proprietary medicine

The certificate of registration in respect of the patent/proprietary medicine marketed under the name of.....manufactured byof..... which was registered and allotted the registration number.... on the... day of19... as hereby renewed until the.... day of... ..19.....

*Director,**Central Drugs Laboratory. or other authorized officer.**Date.....*

FORM 8.

(See Rule 24)

Application for licence to import biological and other special products specified in Schedules C and C (1) to the Drugs Rules, 1945.

I/Wehereby apply for a licence to import the drugs specified below manufactured by.... ...
of:—

Names of drugs and classes of drugs

I/Weenclose herewith an undertaking signed by or on behalf of the manufacturers as required by the Drugs Rules, 1945.

Manufacturer's Agent,

Date.....

FORM 9.

[See Rule 24.]

Form of undertaking to accompany an application for an import licence

Whereas.....of.....intends to apply for a licence under the Drugs Rules, 1945, for the import into British India, of the drugs specified below manufactured by us, weof.....hereby give this undertaking that for the duration of the said licence—

(1) the said applicant shall be our agent for the import of the drugs into British India; and as regards the products specified in Schedule C of the Drugs Rules, 1945, the applicant shall be our sole agent for into British India;

(2) we shall comply with the conditions imposed on a licensee by clause (a) to (e) of Rule 78 of the Drugs Rules, 1945;

(3) we declare that we are carrying on the manufacture of the drugs mentioned in this undertaking at the premises specified below, and we shall from time to time report any change of premises on which manufacture will be carried on and in cases where manufacture is carried on in more than one factory any change in the distribution of functions between the factories;

(4) we shall comply with the provisions of Part IX of the Drugs Rules, 1945;

(5) every drug manufactured by us for import under licence into British India shall as regards strength, quality and purity conform with the provisions of Chapter III of the Drugs Act, 1940, and of the Drugs Rules, 1945;

(6) we shall comply with such further requirements, if any, as may be specified by Rules made by the Central Government under the Act and of which the licensing authority has given to the licensee not less than four month's notice.

Names of drugs and classes of drugs

Particulars of premises where manufacture is carried on.

Signed by or on behalf of the manufacturer

Date.....

FORM 10

[See Rule 27.]

Licence to import biological and other special products specified in Schedule C and C (1) to the Drugs Rules, 1945.

Number of licence
 of is/are hereby licensed to
 import into British India during the period for which this licence
 is in force the drugs specified below manufactured by
 of
 and any other drugs manufactured by ..
 as may from time to time be endorsed on this licence.

(2) This is subject to the conditions prescribed in the Drugs Rules, 1945, and shall be in force for a period of two years from the date stated below unless it is sooner suspended or cancelled under the said Rules.

Names of drugs and classes of drugs to which the licence applies.—
Licensing Authority.

Date.....

FORM 11.

[See Rule 33].

Licence to import drugs for the purposes of examination, test or analysis.... of is hereby licensed to import from the drugs specified below for the purposes of examination, test or analysis at or in such other place as the licensing authority may from time to time authorize.

2. This licence is subject to the conditions prescribed in the Rules under the Drugs Act, 1940.

3. This licence shall unless previously suspended or revoked be in force for a period of one year from the date specified below.—

Name of Drugs. *Quantities which may be imported.*
Licensing Authority.

Date

FORM 12.

[See Rule 34.]

Application for licence to import drugs for purpose of examination, test or analysis

I resident of
 by occupation hereby apply for a licence to import the drugs specified below for the purposes of examination, test or analysis at from and I undertake to comply with the conditions applicable to the licence.

Quantities,

Date.....

(Signature).....

FORM 13.

[See Rule 46.]

Certificate of test or analysis by Government Analyst under Section 25 (1) of the Drugs Act, 1940

1. Name of Inspector from whom received
2. Serial No. and date of Inspector's memorandum.....
3. Number of sample
4. Date of receipt
5. Name of drug purporting to be contained in the sample
6. Condition of seals on the package.... ..
7. Result of test or analysis with protocols of test applied.....

is of

In the opinion of the undersigned the sample referred to above—
is not of
standard quality as defined in the Drugs Act, 1940 and Rules there-
under standard quality as defined in the Drugs Act, 1940 and rules
thereunder for the reasons given below.

Date Government Analyst.....

No protocols of tests applied shall be supplied in respect of patent and proprietary medicines which are registered at the Central Drugs Laboratory.

(Amended by Government of India Notification No. F. 1-3/47—1), dated 28-12-1949.)

FORM 14-A.

(See Rule 47.)

Application from a purchaser for test or analysis of a drug under Section 26 of the Drugs Act, 1940.

1. Full name and address of the applicant
2. Occupation
3. Name of drug purporting to be contained in the sample...
4. Name and full address of the pharmacy or concern where the drug was purchased
5. Date on which purchased
6. Reasons why the drug is being submitted for test or analysis

I hereby declare that the drug being submitted for test was purchased by or for me. I further declare that the sample of the drug being sent for test or analysis is exactly as it was purchased and has not been tampered within any way to reduce its potency.

(Signed).....

Date.....

FORM 14-B:

(See Rule 47.)

Certificate of test or analysis by Government Analyst under Section 26 of the Drugs Act, 1940.

1. Name of person from whom sample received.....
2. Date of receipt... ..

3. Name of drug purporting to be contained in the sample

.....

4. Opinion of the Government analyst—The sample referred to above is/is not of standard quality as defined in the Drugs Act, 1940 and rules thereunder.

Government Analyst.

Date.....

FORM 15.

(See Rule 54.)

Order under section 22 (c) of the Drugs Act, 1940 requiring a person not to dispose of stock in his possession

Whereas I have reason to believe that the stock of drugs in your possession detailed below contravenes the provisions of section 18 of the Drugs Act, 1940; and whereas I have reported the fact to the District/Chief Presidency Magistrate and have been authorized by him to take action under clause (c) of section 22 of the said Act.

I hereby require you not to dispose of the said stock for a period of... ..days from this date.

Inspector.....

Date... ..

Details of stock of drugs

Inspector.....

FORM 16.

(See Rule 55.)

Receipt for stock of drugs seized under section 22 (c) of the Drugs Act, 1940.

The stock of drugs detailed below has this day been seized by me under the provisions of clause (c) of section 22 of the Drugs Act, 1940, from the premises of.... ..

... ..situated at.... ..

Inspector... ..

Date.....

Details of drugs seized

Date.....

Inspector.....

FORM 17.

(See Rule 56.)

Intimation to person from whom sample is taken.

To... ..

I have this day taken from the premises of..... situated at... .. samples of the drugs specified below for the purposes of test or analysis.

Inspector.....

Date

Details of samples is taken

Inspector.....

Date

FORM 18.

(See Rule 57.)

Memorandum to Government Analyst

Serial No. of Memorandum

From

To

The Government Analyst

The portion of sample/container described below is sent herewith for test or analysis under the provisions of clause (2) of sub-section (4) of section 23 of the Drugs Act, 1940.

The portion of sample/container has been marked by me with the following mark.

Details of portion of sample or container with name of drug which it purports to contain:—

Date Inspector

FORM 19.

(See Rule 59.)

Application for a licence to sell, stock and exhibit for sale and distribute drugs'

I/We of

other than biological and
hereby apply for a licence to sell by retail/by wholesale drugs —

biological and other

other special products

on the premises situated at

special products

2. The sale of drugs will be under the personal supervision of

.....

(Name) (Qualification)

(Name) (Qualification)

3. Classes of products to be sold

4. Particulars of storage accommodation for the storage of
biological and other special products on the premises referred to

above

Signature

Date

To be deleted if drugs will be sold only by wholesale.

Only required if products requiring cold storage are to be sold.

FORM 20

(See Rule 61 (1))

Licence to sell, stock and exhibit for sale and distribute drugs other than biological and special products specified in Schedule C.

... .. is hereby licensed to sell,
stock and exhibit for sale and distribute on the premises situated at
... .. drugs other than biological and other special
products specified in Schedule C to the Drugs Rules, 1945, subject to
the condition specified below and to the provisions of the Drugs
Act, 1940 and the rules thereunder.

2. The licence will be in force for two years from the date given below.

3. Name(s) of qualified person(s) in charge.....
 Licensing Authority.

Date....

Conditions of licence

1. This licence shall be displayed in a prominent place in a part of the premises open to the public.

2. The licensee shall comply with the provisions of the Drugs Act, 1940, and the Rules thereunder for the time being in force.

3. The licensee shall report forthwith to the licensing authority any change in the qualified staff in charge.—

4. No drug in Schedule C (1) shall be sold unless the precautions necessary for preserving the properties of the contents have been observed throughout the period during which it has been in the possession of the licensee.

Amended by Government of India Notification No. F: 1-56/47
 D dated 16-1-1950.

If the licence is required for wholesale dealings only delete and enter the word "wholesale".

FORM 21.

(See Rule 61 (2).)

Licence to sell, stock and exhibit for sale and distribute, biological and special products specified in Schedule C.

..... is hereby licensed to sell, stock and exhibit for sale and distribute on the premises situated at the biological and other special products specified in Schedule C to the Drugs Rules, 1945, subject to the conditions specified below and to the provisions of the Drugs Act, 1940, and the Rules thereunder.

2. This licence will be in force for two years from the date given below.

3 Particulars of biological products to be sold

4. Name (s) of qualified person(s) in charge

Date Licensing Authority.

Amended by Government of India Notification No. F.1-56/47-
 D dated 16-1-1950.

If the licence is required for wholesale dealings only delete and enter the word "wholesale".

Condition of licence

1. This licence shall be displayed in a prominent place in part of the premises open to the public.

2. The licensee shall report forthwith to the licensing authority any change in the qualified staff in charge.

3. No drug to which this licence applies shall be sold unless the precautions necessary for preserving the properties of the contents have been observed throughout the period during which it has been in the possession of the licensee.

FORM 22.

((See Rule 67.)

General Warranty under Section 19 (3) of the Drugs Act, 1940.

I,being a person resident in British India, carrying on business at.....under the name of.....(and being an agent of.....), do hereby give the warranty that the goods or classes of goods hereunder described as sold by me, do not contravene in any way the provisions of section 18 of the Drugs Act, 1940.

Date (Signed).....

List of goods or classes of goods.

(Signed).....

Omit the words in brackets if the warranty is given by the manufacturer and not by an agent.

FORM 23.

(See Rule 67.)

Specific warranty under Section 19(3) of the Drugs Act, 1940.

I,being a resident of British India, carrying on business at under the name of..... (and being an agent of), do hereby give this warranty that the goods, hereunder specified and contained in the bill of sale, invoice, bill of lading or other documents describing the goods referred to herein, do not contravene in any way the provisions of [Section 18 of Drugs Act, 1940.]

(Signed)

Date

List of goods and description of bill of sale, invoice, bill of lading or other document

(Signed)

Omit the words in brackets if the [warranty is given by the] manufacturer and not by an agent.

FORM 24.

(See Rule 6.)

Application for a licence to manufacture drugs other than biological and other special products.

I/We ... of ... hereby apply for (renewal of) a licence to manufacture on premises situated at... Drugs other than drugs specified in Schedules C and C (1) to the Drugs Rules, 1945.

2. Class of drugs to be manufactured.... ..

3. Names, qualifications and technical experience of technical staff to be employed in the direction and supervision of manufacture and testing.

(Signed).

Date.....

NOTE.—The application should be accompanied by a plan of the premises.

FORM 25.

(See Rule 70.)

Licence to manufacture drugs other than biological and Special products

Number of licence and year of issue.

.....is hereby licensed to manufacture drugs other than drugs specified in Schedules C and C (1) to the Drugs Rules, 1945, at the premises situated atunder the direction and supervision of the following expert staff:—

2. The licence authorizes the sale by way of wholesale dealing and storage for sale by the licensee of the products manufactured under the licence, subject to the conditions applicable to licences for sale.

3. The licence shall be in force for a period of two years from the date of issue.

4. The licence is subject to the conditions stated below and to such other conditions as may be specified in the Rules for the time being in force under the Drugs Act, 1940:

Signature.....

Designation.....

Date.....

Conditions

1. This licence and any certificate of renewal in force shall be kept on the approved premises and shall be produced at the request of an Inspector appointed under the Drugs Act, 1940.

2. Any change in the expert staff named in the licence shall be forthwith reported to the licensing authority.

FORM 26.

(See Rule 73 and 83.)

Certificate of renewal of licence to manufacture drugs.

Certified that the licence No..... granted on the.....
drugs other than drugs specified

to.... for the manufacturer of the undermentioned drugs, being in Schedules C and C (1) to the Drugs Rules, 1945 at the
drugs specified in Schedules C and C (1) to the Drugs Rules, 1945 premises situated at... has been renewed for a
period of two years from the

Names of drugs (each substance to be separately specified).

2. Names of approved expert staff.

Signature

Designation.....

Date....

To be completed only in the case of drugs specified in Schedules C and C (1) to the Drugs Rules, 1945.

FORM 27.

(See Rule 75)

Application for grant or renewal of a licence to manufacture biological, and other special products.

I/We hereby apply for (renewal of a licence to manufacture on premises situated at the undermentioned drugs, being drugs specified in Schedules C and C (1) to the Drugs Rules, 1945.

Names of drugs (each substance to be separately specified).

2. The names, qualifications and technical experience of the expert staff to be responsible for the manufacture or testing of the above-mentioned substances are as follows:—

3. The premises and plant are ready for inspection
will be ready for inspection on....

Signature.....

Date

NOTE.—The application shall be accompanied by a plan of the premises.

FORM 28.

(See Rule 75)

Licence to manufacture biological and special product's

Number of licence and year of issue

hereby licensed to manufacture at the premises situated at the following drugs, being drugs specified in Schedules C and C (1) to the Drugs Rules, 1945:—

Names of drugs.—

2. Names of approved expert staff.

3. The licence authorizes the sale by way of wholesale dealing and storage for sale by the licence of the products manufactured under the licence, subject to the conditions applicable to licences for sale.

4. The licence will be in force for a period of two years from the date of issue.

5. The licence is subject to the condition stated below and to such other conditions as may be specified in the Rules for the time being in force under the Drugs Act 1940.

Signature.....

Date of issue

Designation.....

: Conditions :

1. This licence and any certificate of renewal in force shall be kept on the approved premises and shall be produced at the request of an Inspector appointed under the Drugs Act, 1940.

2. If the licensee wishes to undertake during the currency of the licence the manufacture of any drug specified in Schedule C or C (1) not included above, he should apply to the licensing authority for permission to manufacture the drug. This licence will be deemed to authorize the manufacture of any drug in respect of which such permission has been given.

3. Any change in the expert staff shall be forthwith reported to the licensing authority.

FORM 29.

(See Rule 89.)

Licence to manufacture drugs for purposes of examination, test or analysis.

... of ...
is hereby licensed to manufacture the drugs specified below for purposes of examination, test or analysis at ..

2. This licence is subject to the conditions prescribed in Part VIII of the Drugs Rules, 1945.

3. This licence shall be in force for one year from the date specified below.

Names of Drugs.

Date....

Licensing Authority...

FORM 30.

(See Rule 90)

Applications for licence to manufacture drugs for purposes of examination, test or analysis.

I... of...

... by occupation...
hereby apply for a licence to manufacture the drugs specified below for purpose of examination, test or analysis at ... and I undertake to comply with the conditions applicable to the licence.

Name of Drugs.

Date.....

Signature.....

SCHEDULE B.

(See Rules 7 and 48)

Fees for test or analysis by the Central Drugs Laboratory or the Government Analyst.

1. *Fees for Biological Assay and Certification.*

Rs.
Digitalis powder.... 24
Digitalis Tincture... 24

Sera and vaccines—
(i) Sera—

| | | | |
|---|----------|--|----|
| Strophanthin... .. | 24 | (a) Determination of exact titre | 75 |
| Strophanthus Tincture | 24 | (b) Determination that sample is up to titre specified... .. | 50 |
| Pituitary (Posterior Lobe Extract... .. | 24 | (ii) Vaccines— | |
| Adrenaline and preparations of Adrenaline... .. | 32 | (a) Examination in which an animal test is employed | 50 |
| Penicillin... .. | 25 | (b) Examination in which an animal test is not employed | 25 |
| Insulin..... | 32 to 40 | (iii) Bacteriological tests of disinfectants and antiseptic... .. | 45 |
| Thyroid | 32 | (iv) Tests for sterility..... | 12 |
| Sex gland preparations— | | II.—Fees for examination of drugs according to pharmaceutical tests, except where a biological assay is necessary.. | |
| Ovarian | 32 to 64 | Qualitative test only.... | 20 |
| Luteal... .. | | Complete qualitative and quantitative tests | 30 |
| Orchis... .. | | III.—Fees for the determination of the saponification value, the acid value, the iodine value, the refractive index or the density of an oil or a fat | 10 |
| Vitamin preparations— | | For each additional determination..... | 5 |
| Vitamin A | 32 to 64 | | |
| Vitamin B | | | |
| Vitamin C | | | |
| Vitamin D (Calciferol) | | | |
| Cod Liver Oil | | | |
| Organic Arsenic Compounds:— | | | |
| Neoarsphenamine, Sulp} | 40 to 64 | | |
| harsphenamine and | | | |
| Allied Products | | | |
| Non-organic antimony compounds | 24 | | |
| Toxicity tests for organic Antimony Compounds and other Compounds in experimental stage | 16 | | |

SCHEDULE C.

(See Rules 23, 61 and 76 and Part X.)

Biological and special products.

1. Sera.
2. Solution of serum proteins intended for injection.
3. Vaccines for parenteral injections.
4. Toxins.
5. Antigens.
6. Anti-toxins.
7. Neo.arsphenamine and analogous substances used for the specific treatment of infective diseases.
8. Insulin.
9. Pituitary (Posterior Lobe) Extract.
10. Adrenaline and Solutions of Salts of Adrenaline.
11. Penicillin.
12. Any other preparations in a form to be administered parenterally.
13. Sterilized surgical ligature and sterilized surgical suture.

14. Bacteriophages.

Amended by Government of India Notification No. F. 1-30/47 D, dated 5-I-1950.

Add-under Government of India Notification No. F. 18-1-46-D, dated 18-6-1948.

SCHEDULE C (I).

(See Rules 23, 61 and 76.)

Other special products.

1. Preparations of the Digitalis group of drugs not in a form to be administered parenterally.
2. Ergot and its preparations not in a form to be administered parenterally.
3. Adrenaline preparations not in a form to be administered parenterally.
4. Fish liver oil.
5. Preparations containing any vitamins not in a form to be administered parenterally.
6. Preparations containing liver extract not in a form to be administered parenterally.
7. Preparations containing hormones not in a form to be administered parenterally.
8. Vaccines not in a form to be administered parenterally.

SCHEDULED D.

(See Rule 43.)

Class of drugs.

Extent and conditions of exemption.

- | | |
|--|--|
| 1. Substances not intended for medical use. | All provisions of Chapter III of the Act and Rules thereunder subject to the condition that if the substance is imported in bulk, the importer shall certify that the substance is imported for non-medicinal uses, and if imported otherwise than in bulk, each container shall bear a label indicating that the substance is not intended for medicinal use or is intended for some purposes other than medicinal use or is of commercial quality. |
| 2. Biological and other special products referred to in Schedule C intended to be used solely for veterinary purposes. | All provisions of Chapter III of the Act and Rules thereunder subject to the condition that each container shall bear a label indicating that the substance is for veterinary use only. |

3. Patent or proprietary medicine intended to be used solely for veterinary purposes All provision of Chapter III of the Act and Rules thereunder subject to the condition that the description on the label or container shall indicate that the medicine is intended for administration to animals.
4. Medicines prepared in accordance with and intended solely for the treatment of patients under the Homeopathic system of medicine. All the provisions of Chapter III of the Act and the Rules thereunder subject to the condition that a container containing such drugs shall bear a label 'Homeopathic Medicine'.
5. Substances included in Schedule C (1) required for manufacturing purposes which are not intended for medical use in form in which they are imported or which may be notified in the official Gazette from time to time. The provisions of Chapter III of the Act and Rules thereunder which require them to be covered by import licences, subject to the condition that the exemption will be confined to holders of licence in Form 28.

SCHEDULE E.

(See Rules 65 and 97).

List of poisons.

Acetanilide; Alkyl acetanilides.

Aconite, roots of

Alkaloids, the following, their salts; simple or complex :—

Acetyldihydrocodeinone; its esters.

Aconite, alkaloids of, except substances containing less than 0.02 per cent of the alkaloids of aconite.

Apomorphine, except substances containing less than 0.2 per cent of apomorphine.

Atropine, except substances containing less than 0.15 per cent of atropine.

Belladonna, alkaloids of, except substances containing less than 0.15 per cent of the alkaloids of belladonna calculated as a hyoscyamine.

Benzoylmorphine.

Benzylmorphine.

Brucine, except substances containing less than 0.2 per cent of brucine.

Calabar bean, alkaloids of

Coca, alkaloids of, except substances containing less than 0.1 per cent of the alkaloids of coca.

Cocaine, except substances containing less than 0.1 per cent of cocaine.

Codeine, except substances containing less than one per cent of codeine.

Colchicine, except substances containing less than 0.5 per cent of colchicine.

Coniine, except substances containing less than 0.1 per cent of coniine.

Cotarnine, except substances containing less than 0.2 per cent of cotarnine.

Curarine.

Diamorphine (Diacetylmorphine hydrochloride).

Dihydrocodeinone ; its esters.

Dihydroxycodine ; its esters.

Dihydromorphine, its esters.

Dihydromorphinone ; its esters.

Ecgonine ; except substances containing less than 0.1 per cent of ecgonine, its esters.

Emetine ; except substances containing less than 0.1 per cent of emetine.

Ephedra, alkaloids of, except substances containing less than one per cent of the alkaloids of ephedra.

Ergot, alkaloids of

Ethylmorphine, except substances containing less than 0.2 per cent of ethylmorphine.

Gelsemium, alkaloids of, except substances containing less than 0.1 per cent of the alkaloids of gelsemium.

Homatropine, except substance containing less than 0.15 per cent of homatropine.

Hyoscyne, except substances containing less than 0.15 per cent of hyoscyne,

Hyoscyamine, except substances containing less than 0.15 per cent of hyoscyamine.

Jaborandi, alkaloids of except substances containing less than 0.5 per cent of the alkaloids of jaborandi.

Lobelia, alkaloids of except substances containing less than one per cent of the alkaloids of lobelia.

Morphine, except substances containing less than 0.2 per cent of morphine calculated as anhydrous morphine.

Nicotine.

[Papaverine, except substances containing less than one per cent of papaverine.]

Pomegranate, alkaloids of except substances containing less than 0.5 per cent of the alkaloids of pomegranate.

Quebracho, alkaloids of.

Sabadilla, alkaloids of, except substances containing less than one per cent of the alkaloids of sabadilla.

Solanaceous alkaloids, not otherwise included in this List,

except substances containing less than 0.15 per cent of solanaceous alkaloids calculated as hyoscyamine.

Stavesare, alkaloids of, except ointments, lotions for external use and substances containing less than 0.2 per cent of the alkaloids.

Strychnine, except substances containing less than 0.2 per cent of strychnine.

The baine, except substances containing less than one per cent of the baine.

Veratrum, alkaloids of, except substances containing less than one per cent of the alkaloids of veratrum.

Yohimba, alkaloids of.

Allylisopropylacetylurea.

Amidopyrine ; its salts.

Amino-alcohols, esterified with benzoic acid, phenylactic acid, phenyl propionic acid, cinnamic acid or the derivatives of these acids, except in substances containing less than ten per cent of esterified aminoalcohols.

Ammonia, except substances containing less than five per cent weight in weight, ammonia.

Amphetamine (beta aminopropylbenzene), its salts, its N-alkyl derivatives, their salts, beta-amino-iso-propylbenzene, its salts, its N-alkyl derivatives, their salts, except when present in inhalers provided that the poison is absorbed in inert solid material within the inhaler.

Amyl nitrite.

Antimony, chlorides of ; oxides of antimony ; sulphides of antimony ; antimonates ; antimonites ; organic compounds of antimony, Preparations of antimony, except substances containing less than the equivalent of one per cent of antimony trioxide.

Arsenic, halides of ; oxides of arsenic ; sulphides of arsenic ; arsenates ; arsenites ; aceto-arsenites ; thioarsenates ; organic compounds of arsenic. Preparations of arsenic except substances containing less than the equivalent of 0.01 per cent of arsenic trioxide.

Barbituric acid, its salt, derivatives of barbituric acid ; their salts ; compounds of barbituric acid, its derivatives, their salts, with any other substance.

Barium salts of, other than barium sulphate.

Butylchloral hydrate

Cannabis (the dried flowering or fruiting tops and leaves of *Cannabis sativa* Linn) ; the resin of cannabis, extracts of cannabis ; tinctures of cannabis ; cannabin tannate.

Cantharidates, except substances containing less than the equivalent of 0.01 per cent of cantharidin.

Cantharidin, except substances containing less than 0.01 per cent of cantharidin.

Chloral formamide.

Choral hydrate.

Chloroform, except substances containing less than 10 per cent of chloroform.

Creosote from wood.

Croton, oil and seeds of.

Datura, seeds and leaves of ; preparations of datura, except substances containing less than 0.15 per cent of the alkaloids of datura calculated as hyoscyne.

Diaminodiphenylsulphone, its salt and derivatives.

Digitalis glycosides of, except substances containing less than one unit of activity (as defined in the British Pharmacopeia) in two grammes of the substance.

Dinitrocresols ; dinitronaphthols ; dinitrophenols ; dinitrothymols.

Elaterin.

Ergot (the sclerotia of any species of *Claviceps*) ; extracts of Ergot ; tinctures of Ergot.

Erythrityl tetranitrate.

Formaldehyde, except substances containing less than 5 per cent Formaldehyde.

Glyceryl trinitrate (nitroglycerine).

Guanidines, the following ; polymethylene diguanidines, diparaanisyphenyl guanidine.

Hydrochloric acid, except substances containing less than nine per cent, weight in weight, of hydrochloric acid.

Hydrocyanic acid, except substances containing less than 0.1 per cent of hydrocyanic acid (HCN) ; cyanides, except substances containing less than the equivalent of 0.1 per cent, weight in weight of hydrocyanic (HCN) ; double cyanides of mercury and zinc.

Hydrofluoric acid ; potassium fluoride ; sodium fluoride ; sodium silicofluoride Insulin.

Lead acetates ; compounds of lead with acids from fixed oils.

Mannityl Hexanitrate.

Mercuric chloride or mercuric ammonium chlorides ; except substances containing less than one per cent of mercuric chloride ; mercuric iodide, except substances containing less than two per cent of mercuric iodide ; nitrates of mercury, except substances containing less than the equivalent of three per cent, weight in weight, of mercury (H.G.) ; potassiummercuric iodides, except substances containing less than the equivalent of one per cent of mercuric iodide ; organic compounds of mercury, except substances containing less than the equivalent of 0.2 per cent, weight in weight, of mercury [(H.G.) ; mercuric] oxycyanides ; oxides of mercury.

Nitric acid, except substances containing less than nine per cent weight in weight, of nitric acid.

Nitrobenzene.

Nitrophenols ortho, meta or para.

Nux Vomica, seeds of; preparations of nux vomica, except substances containing less than 0.2 per cent. of the alkaloids of nux vomica.

Oil of Savin.

Opium, except substances containing less than 0.2 per cent of morphine calculated as anhydrous morphine.

Orthocaine; its salts.

Ouabain.

Oxalic acid; metallic oxalates other than potassium quadroxalate.

Oxyinchoninic acid; derivatives of; their salts; their esters.

Para-amino benzene-sulphonamide; its salts. derivatives of para-amino-benzene-sulphonamide having any of the hydrogen atoms of the para-amino group or of the sulphamido group substituted by another radical; their salts.

Para amino-benzoic acid; esters of; their salts.

Percein.

Pethidine-Hydrochloride.

Phenetidylphenacetin.

Phenols, that is, any member of the series of phenols of which the first member is phenol and of which the molecular composition varies from member to member by one atom of carbon and two atoms of hydrogen.

Phenylinchoninic acid, salicyl-cinchoninic acid; their salts; their esters

Phenylene diamines; toluene diamines; other alkylated benzene diamines, their salts.

Phenylethylhydantoin; its salts; its acyl derivatives; their salts,

Phosphorus yellow.

Picric acid, except substances containing less than nine per cent Picric acid.

Picrotoxin.

Pituitary gland, the active principles of.

Potassium hydroxide, except substances containing less than 12 per cent, weight in weight, of potassium hydroxide.

Procaine, salts of.

Sodium hydroxide, except substances containing less than 12 per cent, weight in weight, of sodium hydroxide.

Sulphonal; alkyl sulphonals.

Sulphuric acid, except substances containing less than nine per cent, weight in weight, of sulphuric acid.

Strophanthus, glycosides of strophanthus;

Suprarenal gland, the active principles of; their salts.

Thallium salts of

Thyroid gland, the active principles of; their salts.

Tribromethyl alcohol.

Zinc Chloride.

SCHEDULE F.

(See Rule 78 and Part X.)

PART I.—VACCINES.

(A) PROVISIONS APPLICABLE TO THE PRODUCTION OF BACTERIAL VACCINES.

1. *Definition.*—(1) This part of this Schedule applies to bacterial vaccines made from any micro-organism pathogenic to man or other animal and to vaccines made from other micro-organisms which have any antigenic value.

(2) For the purposes of this Part of this Schedule a bacterial vaccine means a sterile suspension of a killed 'culture' of the micro-organism from which the vaccine derives its name or a sterile extract or derivative of a micro-organism which has been prepared from a genuine culture of the micro organism,

2. *Staff of Establishment.*—The establishment where vaccines are prepared must be under the complete direction and control of a competent expert in bacteriology, who must be assisted by a staff adequate for carrying out the tests required during the preparation of the vaccines and in connection with the finished products.

3. *Proper Name*—The proper name of any vaccine shall be the name of the micro organism from which it is made, followed by the word "vaccine" unless this Schedule [otherwise provides or, if there is no special provision in this Schedule] some other name is approved by the licensing authority: Provided that in the case of the under-mentioned preparations the proper name of the vaccine may be as follows:—

Anti-cholera vaccine ;

Anti typhoid vaccine ;

Anti-plague vaccine ;

Anti dysentery vaccine ;

Whooping cough vaccine.

Antityphoid-paratyphoid (T.A.B.) Vaccine ;

Antityphoid-paratyphoid (A.B.&C.) Vaccine ;

Antityphoid-paratyphoid (A. & B.) and Cholera Vaccine.

4. *Records.*—Cultures used in the preparation of vaccine must, before being manipulated into a vaccine, be thoroughly tested for identity by the generally accepted tests applicable to the particular micro-organism. The permanent records which the licensee is required to keep shall include a record of the origin, properties and characteristics of the culture.

5. *Combined Vaccines.*—Vaccines may be issued either singly or combined in any proportion in the same container. In the case of combinations of vaccines a name for the combined vaccine may be submitted by the licensee to the licensing authority, and, if approved, may be used as the proper name of the vaccine.

6. *Labelling.*—(1) The label on the container shall indicate the composition of the vaccine by reference either:—

(a) To the number of micro-organisms per c.c. ; or

(b) to the weight of dried substance of micro-organisms per c.c. ; or

(c) to the number of micro-organisms or weight of dried substance of micro-organisms used in preparing 1 c.c. of the finished product.

In the case of a combined vaccine the reference to the number of micro-organisms per c.c. or to the weight of dried substance of micro-organism shall distinguish between the several kinds of contributing micro-organisms.

(2) If the vaccine as issued for sale is combined with any substance other than a simple diluent, the exact nature and strength of such substance must be stated on the label.

7. *Tests.*—In the case of any vaccine prepared from a micro-organism which does not grow readily in ordinary culture media each batch of the vaccine shall, in addition to being submitted to the general tests for sterility prescribed in the Rules under the Act, be tested either in a similar manner on media which are specially favourable to the growth of the particular micro-organism from which the vaccine was prepared or by injection into an animal of a species known to be susceptible to infection by the particular organism, and no material from any batch shall be issued unless the batch has passed one of these tests,

(B) PROVISIONS APPLICABLE TO THE PRODUCTION OF VACCINE LYMPH (VACCINA VACCINE).

1. *Definition and Proper Name.*—Vaccine Lymph is a preparation of the vaccinal material obtained from the vesicles produced on the skin of healthy animals by inoculation of vaccina virus. Its proper name is "Vaccine Lymph".

2. *Staff of establishment.*—The establishment in which vaccine lymph is prepared must be under the complete direction and control of a competent expert, who must be assisted by a staff adequate for carrying out the operations and tests required during the preparation of the vaccine lymph and in connection with the finished product.

3. *Condition and Housing of animals.*—(1) The animals used in the production of vaccine lymph must be housed in hygienic conditions in premises satisfactory for this purpose.

(2) Only healthy animals may be used in the production of vaccine lymph. Each animal intended to be used as a source of vaccine lymph must, before being passed for the production of vaccine lymph, be subjected to a period of observation in quarantine for at least seven days. During the period of quarantine the animal must remain free from any sign of disease and must be thoroughly cleaned and groomed.

4. *Precautions to be observed in Preparation.*—(1) A special room, with impervious walls and floor, which can be washed and when necessary, chemically disinfected, must be provided for the [inoculation of the] animals and the collection of the vaccinal material.

(2) The inoculation shall be made on such parts of the animal as are not liable to be soiled by the passage of faeces. The surface used for inoculation shall be shaved and so cleaned as to procure the nearest possible approach to asepsis. Prior to the collection of vaccinal material the inoculated area of the skin shall be cleaned in a similar fashion.

(3) (a) Immediately before the vaccinal material is collected, the animal shall be killed. Subsequently a through post mortem examination of the carcass shall be made by a qualified expert. A complete record of each such examination shall be kept, and shall be open to inspection by or on behalf of the licensing authority at any time. If the examination reveals any communicable disease (other than vaccinia) the lymph obtained from that animal shall not be issued ; or

(b) when post-mortem examination is not carried out each animal shall be kept under observation for a period of at least forty-eight hours after collection of lymph. If during this period the examination reveals any conditions which indicate or suggest that the animal is suffering from any infection other than vaccinia the lymph obtained from that animal shall not be issued.

(4) All instruments and appliances used in the production of vaccine lymph shall be previously subjected to an effective process of sterilization.

(5) Laboratories in which vaccinal material, after removal from the animal is being manufactured into lymph must be housed in a building separated from stables or animal houses by a reasonable distance. Such laboratories must have impervious walls and floors and must be capable of being really disinfected when necessary.

(6) All processes concerned with the manufacture of vaccine lymph must be carried out with through aseptic precautions.

(7) All vaccinal material must be subjected after collection to such treatment with glycerol or other partial disinfectants as will bring the content of bacteria and other extraneous micro-organisms of the lymph within the limit prescribed in paragraph 7 of this Part of this Schedule.

(8) When the procedures necessary to bring the content of bacteria and other extraneous micro-organisms within the prescribed limit have been completed the vaccine lymph shall be kept continuously in cold storage at a temperature below O.C. ; until it is withdrawn to be filled into containers [for issue after which process the filled containers] shall immediately be returned to cold storage and kept continuously at a temperature below O.C., until required for issue. Provided that it shall be permissible to remove vaccine lymph from one such cold store to another, if adequate precautions are taken during such removal to guard against deterioration.

5. *Containers*.—Vaccine lymph for issue shall be introduced either—

(a) into previously sterilized capillary glass tubes by a method excluding access of bacteria. The tubes shall then be hermetically sealed at each end. Each tube shall contain a quantity of vaccine lymph suitable for the effective vaccination of one human subject; or

(b) into tubes or containers of large dimensions which have been sterilized before the introduction of the lymph and sealed so as to preclude the access of bacteria.

6. *Labelling*.—(1) The label on the container or a label or wrapper affixed to the package to which the container is issued for sale shall bear a statement that the potency of the vaccine lymph cannot be assured for more than seven days from the date of completion of manufacture, unless the lymph is kept continuously at a temperature below 10. C. when the potency can be assured for fourteen days. Provided that it shall be permissible to state that if the lymph is kept continuously below 0.C. the potency can be assured for at least six months.

(2) For the purpose of Rule 109 (3) (b) the date on which the manufacture of the batch is completed shall be the date on which the vaccine lymph is removed for issue from cold storage after having been kept continuously at a temperature below 0°C. since the date of filling into containers for issue.

7. *Tests for Purity*.—(1) The vaccinal material shall be exposed to the action of glycerol or other partial disinfectant under suitable conditions of temperature until tests made by means of plate cultures have shown that the total number of living bacteria or other extraneous micro-organism has been reduced to not more than 20 in 1 milligram, or 20,000 in c. c. of the vaccine lymph. The results of these tests shall be recorded and the records kept for inspection. The determination of the content of the living micro-organisms in the vaccine lymph shall be made in a manner approved by the licensing authority and the enumeration of colonies shall be made after incubation for two days at approximately 37.C., and then for at least three days at approximately 20. C.

(2) If *B. anthracis* is found to be present the batch of lymph shall be rejected forthwith, and if *B. coli* or any other pathogen is found which may prove harmful if introduced into the body by the process of vaccination the lymph must be kept in cold storage till an examination of at least 10 milligrams of 0.01 c.c. of the lymph fails to reveal its presence.

(3) When the prescribed reduction in the number of living microorganisms has been effected, the batch of vaccine lymph may be issued if—

(a) tests carried out in a manner approved by the licensing authority on a sample of not less than 0.1 per cent of the batch have failed to reveal the presence of *Cl. tetani*; and

(b) tests carried out after the process of purification has been completed on a sample of not less than 10 milligrams or 0.01 c.c. have failed to reveal the presence of beta hemolytic streptococci.

8. *Tests for potency.*—(1) Each batch of vaccine lymph after the process of purification has been completed, shall be tested for potency so as to ensure its activity at the time of issue. These tests shall be applied not more than three months before the batch of lymph is finally issued.

(2) For the purpose of a test for potency a dilution shall be prepared by mixing 1 volume of the lymph with 1,000 volumes of physiological saline solution or other suitable diluent. The dilution shall be used for the test without filtration.

(3) This dilution of the vaccine lymph shall be tested by application to the suitably prepared skin of a rabbit and the batch of vaccine lymph from which the dilution was prepared shall not be issued unless the lesions characteristic of vaccinia are produced in a susceptible animal. For the purpose of comparison a similar dilution of lymph of known potency shall be applied simultaneously to the skin of the same animal. Provided that the licensing authority may approve any other form of comparative test for potency which may be submitted to the licensing authority for approval.

(C) PROVISIONS APPLICABLE TO THE PRODUCTION OF VACCINES CONTAINING LIVING ORGANISMS, VIRUSES OR OTHER POTENTIALLY INFECTIVE AGENTS OTHER THAN VACCINE LYMPH (VACCINIA)

1. Every substance other than Vaccine Lymph (Vaccinia) containing, or alleged to contain, bacteria, or virus or other potentially infective agent in the living condition shall be tested in such manner as the licensing authority shall approve in each particular case for the purpose of determining—

(a) that the substance contains in living condition the bacteria, virus or other potentially infective agent which it is alleged to contain;

(b) that its administration is free from danger;

(c) that it is free from living organisms other than those which it is alleged to contain.

2. The proper name for such a substance shall be that which the licensing authority in each particular case shall approve in writing.

(D) PROVISIONS APPLICABLE TO THE PRODUCTION OF CARBOLISED ANTI-RABIC VACCINE.

1. *Definition and proper Name.*—Carbolised anti-rabic vaccine is a sterile suspension of the brain substance of rabbits or sheep or other suitable animals which have died, or been killed when moribund by the administration of an anaesthetic, or other suitable method, after showing characteristic symptoms following subdural inoculation of rabies fixed virus in the form of a suspension of brain substance of rabbits in which the fixed virus strain has been maintained. The virus in the brain suspension shall have been inactivated.

by the addition of phenol. Its proper name is "Carbolised anti-rabic vaccine".

2. *Strain of fixed Rabies Virus to be used.*—The strain of fixed Rabies Virus to be used in the preparation shall be one approved by the Licensing Authority.

3. *Staff of establishment.*—The establishment in which carbolised anti-rabic vaccine is prepared must be under the complete direction and control of a competent Expert who must be assisted by a staff adequate for carrying out the tests required during the preparation of the vaccine and in connection with the finished product.

4. *Condition and housing of animals.*—(1) The animals used in the production of carbolised anti-rabic vaccine must be adequately and healthily housed.

(2) Only healthy animals may be used in the production of carbolised anti-rabic vaccine. Each animal intended to be used as the source of carbolised anti-rabic vaccine must, before being passed for the production of carbolised anti-rabic vaccine, be subjected to a period of observation in quarantine for at least five days. During the period of quarantine the animal must remain free from any sign of disease.

5. *Precautions to be observed in preparation.*—(1) A special room, with impervious walls and floor, which can be washed and, when necessary, chemically disinfected must be provided for the inoculation of animals and the removal of brains used in the maintenance of the Fixed Virus Strain and the manufacture of carbolised anti-rabic vaccine.

(2) The inoculation of animals and the removal of their brains must be carried out with full aseptic precautions.

(3) Tests for bacterial sterility of brains of animals used for the maintenance of the Fixed Virus Strain for the preparation of carbolised anti-rabic vaccine must be carried out at the time of their removal and any brain material found to show bacterial contamination must not be employed in the manufacture of the vaccine. The sterility tests to be employed shall be those laid down in Rules 114 to 119.

6. *Records.*—The licensee shall maintain permanent records of the origin, properties, and characteristics of the Fixed Rabies Virus Strain and of the serial passages made for its maintenance. Records shall be maintained of each animal passage made for the manufacture of the carbolised anti-rabic vaccine and of the manipulation of the brain material used.

7. *Labelling.*—The label on the container shall indicate the percentage of brain substance present in the vaccine.

8. *Issue.*—Carbolised Anti-rabic Vaccine shall not be issued earlier than 10 days from the date of addition of phenol to the brain suspension. A test for presence of phenol must be made before issue.

(E) PROVISIONS APPLICABLE TO TETANUS TOXOID.

1. *Definition and Proper Name*.—Tetanus Toxoid is tetanus toxin (the sterile filtrate from a culture on nutrient broth of *Clostridium Tetani*) the specific toxicity of which has been completely removed by the action of chemical substances in such a manner that it retains efficient properties as an immunising antigen. Its proper name is "Tetanus Toxoid."

2. *Labelling*.—The label on the container shall indicate the dose; or doses, appropriate for administration at one injection to a human subject.

3. *Tests*.—Tetanus Toxoid shall be submitted to the following tests, and it shall not be issued unless it passes all of the tests.

(a) *Tests for sterility*.—Tetanus Toxoid shall be submitted to the tests for sterility as required under Part X of the Rules, and in addition, it shall be tested on media and under conditions approved by the licensing authority as being specially favourable for the growth of *Clostridium Tetani*.

(b) *Tests to determine that the specific toxicity of the toxin used in its preparation has been completely removed*.—5 c. c. of the tetanus toxoid shall be injected into each of not less than five normal guinea-pigs, each weighing from 250 to 350 grammes. If this injection produces any symptom of tetanus in any of the animals injected within 21 days of injection the tetanus toxoid shall be held not to have passed the tests.

(c) *Tests for potency as an immunizing antigen*.—The tests shall be carried out on not less than nine normal guinea-pigs, each weighing from 250 to 350 grammes. Each guinea-pig shall receive by injection the tetanus toxoid, either in a dose of 5 c. c. on one occasion, or in two doses each of 0.1 c. c. on each of two occasions separated by an interval of not more than four weeks. It shall be permissible to include in the test guinea pigs injected by either of these two methods provided that the total number so included is not less than nine. At a date not later than six weeks after the single injection hereinbefore prescribed, or if they have received the two injections, hereinbefore prescribed, at a date not later than two weeks after the second injection, the tetanus anti-toxin present in the serum of each guinea-pig shall be determined.

If the serum of each of two-thirds or more of the guinea-pigs tested contains 0.1 international unit or more of tetanus anti-toxin per c. c. of serum, or alternatively, if the serum of each of one-third or more of the guinea-pigs tested contains one international unit or more of tetanus anti-toxin per c. c. of serum, the tetanus toxoid shall be accepted as sufficiently potent.

PROVISIONS APPLICABLE TO TETANUS TOXOID PREPARED FOR
ISSUE IN FORMS OTHER THAN SIMPLE SOLUTION.

4. *Proper Name*.—The proper name of any form of tetanus toxoid other than that of simple solution shall be "Tetanus Toxoid".

together with a phrase indicating the nature of the additional process to which it has been subjected *e.g.* "Tetanus Toxoid, Alum Precipitated", or "Alum precipitated Tetanus Toxoid".

5. *Labelling*.—The label on the container shall indicate the dose, or doses, appropriate for administration at one injection to a human subject.

6. *Tests*.—(a) When tetanus toxoid is prepared for administration in forms other than simple solution, such as Alum precipitated, Tetanus Toxoid, the tetanus toxoid from which such forms are prepared shall be submitted to, and shall pass, the tests for sterility and for absence of specific toxicity hereinbefore prescribed.

(b) The product, after precipitation or other process used for its final preparation shall again, be subjected to the sterility tests hereinbefore prescribed, with such modifications as the nature of the product may require to make the test effective.

(c) The product, after the precipitation or other process used for its final preparation, shall be subjected to the tests for absence of specific toxicity and for potency as an immunizing antigen herein before prescribed, with the modification that the dose injected in the test for absence of specific toxicity and in the test for potency as an immunizing antigen when a single dose is administered, shall be 1 c. c.

PART II.—TOXINS AND ANTIGENS.

(A) PROVISIONS APPLICABLE TO THE REAGENTS USED IN THE SCHICK TEST FOR THE DIAGNOSIS OF SUSCEPTIBILITY TO DIPHTHERIA.

1. *Definition and Proper Names*.—(1) The reagents used in the Schick test are two, Schick Toxin and Schick Control. Their proper names respectively are 'Schick Test Toxin' and 'Schick Control'.

(2) Schick Test Toxin is a sterile filtrate from a culture on nutrient broth of the specific organism of Diphtheria (*Corynebacterium diphtheria*) It may be issued either—

(a) undiluted, accompanied by a container in the same box or carton holding such a volume of sterile saline solution as, when mixed with the accompanying quantity of the undiluted toxin, will make a dilution of the strength proper for use in the test. The proper name of the substance in this form is "Schick Test Toxin (undiluted)"; or

(b) already diluted with an appropriate saline solution to the strength proper for use in the test. The proper name of the substance in this form is "Schick Test Toxin (diluted for use)".

(3) Schick Control is prepared from the same batch of Schick Toxin as that with which it is used for sale, by destroying the specific toxicity. This is effected by heating the toxin in such a manner as to keep it at a temperature not lower than 70. C. for a time not shorter than five minutes. Schick Control is issued in a dilution

not weaker than that in which the corresponding toxin is used in the test.

(4) The dilution of Schick Toxin proper for the test is that in which 0.2 c.c. contains one test dose.

2. *Tests for potency.*—The test dose of Schick Toxin for the purpose of the foregoing provision shall be measured by the following tests:—

(a) By intracutaneous injection into normal guinea-pigs in mixtures with different proportions of diphtheria anti-toxin. One test dose mixed with $1/1,500$ th or more of a unit of anti-toxin must cause no local reaction, but mixed with $1/1,250$ th or less of a unit of anti-toxin must cause a definite local reaction of the type known as the “positive Schick reaction” ;

(b) by intracutaneous injection into normal guinea pigs, without admixture with anti-toxin. $1/500$ th of one test dose must not cause, and $1/250$ th of one test dose must cause, a definite local reaction of the type known as the “Positive Schick Reaction”.

3. *Application of Rule 120.*—Rule 120 shall apply to Schick Toxin (diluted for use) as being a substance so unstable in solution that the delay occasioned by the completion of the sterility test on filled containers prescribed by the Rules would render its issue in active form impossible.

(B) PROVISIONS APPLICABLE TO DIPHTHERIA PROPHYLACTIC.

1. *Definition and Proper Name.*—Diphtheria Prophylactic is diphtheria toxin (the sterile filtrate from a culture on nutrient broth of *Corynebacterium diphtheria*), or material derived therefrom the specific toxicity of which has been reduced to a low value either by the action of chemical substances, or by the addition of diphtheria anti-toxin, or by both methods, but, in any case, in such a manner that it retains efficient properties as an immunizing antigen. Its proper name is “Diphtheria Prophylactic”.

2. *Labelling.*—The label on the container shall bear a statement of the dose (hereinafter referred to as the “human dose”) appropriate for administration at one injection to a human subject.

3. *Tests.*—Diphtheria Prophylactic shall be submitted to the following tests:—

(a) *Tests to determine that the specific toxicity of the toxin in its preparation has been so reduced that it does not exceed the prescribed maximum.*—Five human doses of the Diphtheria Prophylactic under test shall be injected into each of five normal guinea-pigs each weighing 250 to 350 grammes. This injection must not cause, the death of any of the guinea pigs within six days following the injection. If all the guinea-pigs injected survive for six days but any of them die within thirty days following the injection from the specific toxæmia, one human dose of the Diphtheria Prophylactic under test shall be injected into each of five normal guinea-

pigs, each weighing 250 to 350 grammes. This injection must not cause the death of any of the guinea-pigs within 30 days following the injection.

If a batch of Diphtheria Prophylactic is shown by either of these tests to have a greater toxicity than the maximum hereby indicated, it shall not be issued unless and until the toxicity has been so reduced by further treatment that it does not exceed that maximum.

(b) *Tests for potency as an immunizing antigen.*—A quantity of Diphtheria Prophylactic not exceeding five human doses shall be injected on one occasion into each of at least ten normal guinea-pigs; or, alternatively, a quantity of Diphtheria Prophylactic not exceeding one-tenth of a human dose shall be injected into each of at least ten normal guinea-pigs on each of two occasions, separated by an interval of not more than four weeks. The guinea-pigs shall be tested for immunity to diphtheria toxin, if they have received the single injection hereinbefore prescribed, at a date not later than six weeks after injection and if they have received the two injections hereinbefore prescribed, at a date not later than three weeks after the second injection, by intracutaneous injection into each guinea-pig of one test dose of Schick Toxin. If more than two out of ten guinea-pigs thus tested or more than one quarter of the number tested if this is greater than ten exhibit a positive Schick reaction, the batch of Diphtheria Prophylactic shall be treated as insufficiently potent, and shall not be issued:

Provided that in the case of the forms of Diphtheria Prophylactic known as Toxin-Anti-toxin Floccules and Toxoid-Anti-toxin Floccules the Prophylactic may be similarly injected into nine or more normal guinea-pigs which may be tested for immunity to Diphtheria Toxin by two separate but simultaneous intracutaneous injections into each of at least nine of these guinea-pigs of one test dose and two test doses, respectively, of Schick Toxin. If two-thirds or more of the guinea-pigs tested do not exhibit a positive reaction to one test dose of Schick Toxin; or alternatively, if one third or more of the guinea-pigs tested do not exhibit a positive reaction to two test doses of Schick Toxin, the batch shall be accepted as sufficiently potent.

(C) PROVISIONS APPLICABLE TO TUBERCULINS AND OTHER PREPARATIONS FROM THE *BACILLUS TUBERCULOSIS* AND ITS CULTURES.

(NAME.—The name "tuberculin" has been frequently applied to any extract, suspension or other preparation of the *Bacillus tuberculosis* or of media on which that bacillus has been cultivated. In the following Part of this Schedule the name is used in a more restricted sense and applies only to tuberculins as therein defined.)

TUBERCULINS.

1. *Definition and Proper Name.*—(1) Tuberculins are preparations of fluid media on which the *Bacillus tuberculosis* has been

grown in artificial culture and which have been freed by filtration from the bacilli.

(2) For the purposes of this Schedule tuberculins are classified in two groups, (a) Old Tuberculin, and (b) Tuberculin, Bouillon Filtrate.

2. *Old Tuberculin*.—(1) Old Tuberculin is the concentrated filtrate from the growth of *Bacillus tuberculosis* on a suitable nutrient broth. For its preparation the bacillus must be grown at approximately 37°C., for a period, usually not less than six weeks, sufficient to allow the surface of the fluid medium to become covered by a thick growth of the bacillus. At the end of this period the fluid medium, from which the bacilli may or not have been previously separated by filtration, must be concentrated by evaporation to one-tenth of its original volume and then be filtered. If the required test for potency shows that the preparation so concentrated is more potent than the standard preparation, the potency may be reduced to the required degree by appropriate dilution. If the test shows that the potency is less than that of the standard preparation, it shall not be increased by further evaporation. The proper name of the preparation is "Old Tuberculin", with or without a suffix such as T., or P.T. The suffix, T., is used, will indicate that the bacillus used in preparing the Tuberculin was obtained from a case of human infection, and the suffix P.T. that the bacillus used was obtained from a case of bovine infection.

(2) The standard preparation of Old Tuberculin, is a quantity of Old Tuberculin kept in the National Institute for Medical Research, Hampstead.

(3) Each batch of Old Tuberculin shall be tested for potency by observation of its specific toxicity, by a method approved by the licensing authority, in such a way that the potency of the preparation under test is measured by comparison with that of the standard preparation. Old Tuberculin shall not be issued if its activity differs from that of the standard preparation to such an extent that the difference is revealed by the test.

(4) Each batch of Old Tuberculin shall be tested for the absence of non-specific toxicity by the subcutaneous injection of 0.5 c.c. into a normal guinea-pig, and shall be treated as having passed the test if such injection does not cause death or serious symptoms.

3. *Tuberculin Bouillon Filtrate*.—Tuberculin Bouillon Filtrate is the unconcentrated Filtrate from the growth of *Bacillus tuberculosis* on a suitable nutrient broth. For its preparation the bacillus must be grown at approximately 37°C. for a period usually not less than six weeks, sufficient to allow the surface of the fluid medium to become covered by a thick growth of the bacillus. At the end of this period the medium is freed from bacilli by filtration through a bacteria-proof filter. The proper name of the preparation

is "Tuberculin Bouillon Filtrate," with or without a suffix such as T.O.A. or P.T.O. The suffix T.O.A. is used, will indicate that the bacillus used in preparing the Tuberculin Bouillon Filtrate was obtained from a case of human infection: and the suffix P.T.O. will indicate that the bacillus used was obtained from a case of bovine infection.

(2) Each batch of Tuberculin Bouillon Filtrate shall be tested for the absence of non-specific toxicity by the subcutaneous injection of 5 c.c. into a normal guinea-pig, and shall be treated as having passed the test if such injection does not cause death or serious symptoms.

4. *Test for sterility.*—All tuberculins shall be tested for sterility in accordance with Rules 115 to 119. Tuberculin Bouillon Filtrate shall be tested in addition for absence of living tubercle bacilli by a method satisfactory to the licensing authority.

TUBERCLE VACCINES.

5. *Definition and Proper Name.*—Tubercle vaccines are preparations made from the bacillary substance obtained by growth of the *Bacillus tuberculosis* on artificial media, and consisting of suspensions of the killed organism or of products therefrom, in water or other suitable suspending fluids. The proper name is "Tubercle Vaccine", and any other descriptive title or symbol indicating the origin of the bacilli or the nature of the process of preparation must be used in addition to, and not in substitution for, the name "Tubercle Vaccine".

6. *Application of provisions as to bacterial vaccines.*—The provisions of Part I (A) of this Schedule (which relates to the production of bacterial vaccines) shall apply to the production of tubercle vaccines.

(D) PROVISIONS APPLICABLE TO STAPHYLOCOCCUS TOXOID

1. *Definition of Proper Name.*—Staphylococcus Toxoid is staphylococcus toxin (the sterile filtrate from a culture on a suitable medium of a toxigenic strain of *Staphylococcus*), the specific toxicity of which has been reduced to a low value by the action of chemical substances in such a manner that it retains efficient properties as an immunizing antigen. Its proper name is "Staphylococcus Toxoid".

Staphylococcus Toxoid may be issued either—

(a) [undiluted; or]

(b) [already diluted] with an appropriate saline solution to the strength suitable for injection.

2. *Labelling.*—The label on the container shall indicate the dose, or doses, appropriate for administration at one injection to a human subject.

3. *Tests.*—Staphylococcus Toxoid shall be submitted to the following tests, it shall not be issued unless it passes all of the tests.

(a) *Tests to determine that the specific toxicity of the toxin used in its preparation has been sufficiently reduced.*—(i) One volume of the undiluted staphylococcus toxoid shall be added to four volumes of physiological saline solution ; equal volumes of this dilution of staphylococcus toxoid and of a 2 per cent suspension of washed red blood corpuscles of the rabbit shall be mixed ; when the mixture is heated to 37.0C. for one hour there must be no significant hemolysis.

(ii) 0.2 c.c. of the undiluted staphylococcus toxoid shall be injected intracutaneously into a normal rabbit or guinea-pig ; this injection may cause a slight local reaction but must not produce necrosis.

(iii) Two rabbits shall be injected intravenously with doses of staphylococcus toxoid calculated at the rate of 2.5 c.c. per kilogram body weight ; this injection must not cause the death of either rabbit within three days following the injection.

(b) *Test of non-specific toxicity.*—Two normal mice shall be injected intraperitoneally with 0.5 c.c. of the undiluted toxoid ; this injection must cause the death of either animal within seven days following the injection.

(c) *Tests for potency as an immunizing antigen.*—1 c.c. of the undiluted staphylococcus toxoid shall be injected into each of not less than nine normal guinea pigs on each of two occasions separated by an interval of not more than four weeks ; at a date later than two weeks after the second injection the staphylococcus anti-toxin present in the serum of each guinea pig shall be determined,

If the serum of each two-thirds or more of the guinea pigs tested contains 0.5 unit or more of staphylococcus anti-toxin per c.c. of serum, or alternatively, if the serum of each of one-third or more of the guinea-pigs tested contains 1 unit or more of staphylococcus anti toxin per c.c. of serum, the toxoid shall be accepted as sufficiently potent,

PART III.—PROVISIONS APPLICABLE TO THE PRODUCTION OF ALL SERA FROM LIVING ANIMALS.

1. *Condition and housing of animals.*—(1) The animals used in the production of sera must be adequately and healthily housed.

(2) Only healthy animals may be used in the preparation of sera, and in particular the presence of glanders in horses or other equidae and of tuberculosis in cattle must be excluded by testing with mallein and tuberculin respectively.

(3) Every new animal intended to be used as a source of serum must be subjected to a period of observation in quarantine for at least seven days, before being admitted to the stables in which the serum-yielding animals are housed.

(4) Every animals used as a source of serum must either be actively immunized against tetanus toxin or must be passively immu-

unized against that toxin by injection of tetanus anti-toxin in such doses as to ensure the constant presence of that anti-toxin in the blood during the whole period of the use of the animal as a source of serum.

2. *Staff of establishment.*—The establishment must be under the complete direction and control of a competent expert in bacteriology and serology, assisted by a staff adequate for carrying out the tests required during the preparation of the sera and in connection with the finished products.

3 *Precautions to be observed in preparation.*—(1) Laboratories where sera are exposed to the air in the course of the process of preparation must be separated by a sufficient distance from stables and animals houses to avoid the risk of aerial contamination with bacteria from animal excreta, and must be rendered fly-proof to prevent such contamination by insects. Such laboratories must have impervious walls and floors and must be capable of being readily disinfected when necessary.

(2) A special room with impervious walls and floor which can be washed and, when necessary, chemically disinfected must be provided for the collection of blood from the living animal.

(3) An efficient system of manure removal must be used, which will prevent its accumulation in the vicinity of any room where blood or serum is collected or handled.

(4) All adequate number of efficient sterilizers must be provided for the sterilization of all glassware or other apparatus with which the serum may come into contact in the course of its preparation.

(5) All processes to which the serum is subjected during and after its collection from the animal, must be designed to preserve its sterility, but in the case of artificially concentrated sera, it shall suffice that the process of concentration is conducted with scrupulous cleanliness and in such a manner as to avoid unnecessary or dangerous contamination.

(6) The laboratories in which the testing of the sera for potency, sterility and freedom from abnormal toxicity are carried out must be adequate for the purpose. An adequate supply of animals for use in such tests and suitable housing for such animals must be provided.

(7) Provision must be made for complying with any special conditions which may be laid down in this Schedule relating to the production and issue of the particular serum, in respect of which the licence is granted.

4. *Unhealthy or infected animals.*—If an animal used in the production of sera is found to be suffering from an infection, except one produced by living organisms against which it is being immunized, or shows signs of serious or persistent ill-health not reasonably attributable to the process of immunization, the licensee shall immu-

mediately report the matter to the licensing authority and shall, if the authority orders an inspection and the inspector so directs, cause such animal to be killed and a *post-mortem* examination of it to be made, and take steps to prevent any serum obtained from the animal being sold or offered for sale until permission is given by the authority. If the result of the *post-mortem* examination is such as to bring under suspicion the health of any of the other animals used for the production of sera, the licensing authority may prohibit the use of those animals for the production of sera or may take such other steps as may be necessary to prevent the issue of sera which may be dangerous to human health.

Provided that in a case of emergency the person in charge of the establishment may order the destruction of an animal used in the production of sera and suspected of infection, and shall in that case give notice forthwith to the licensing authority, and shall permit an inspector to be present at the *post-mortem* examination.

PART IV.—PROVISIONS APPLICABLE TO PARTICULAR SERA AND ANTI-TOXINS.
[A] PROVISIONS APPLICABLE TO ANTI-BACTERIAL SERA AND ANTI-TOXIC SERA
FOR WHICH NO POTENCY TEST IS PRESCRIBED.

(Note.—The sera and anti-toxins to which this Part of this Schedule applies are the sera or solutions of the purified proteins of sera separated from the blood of animals which have been artificially immunized against cultures of one or more organisms or against a soluble toxin or toxics produced by the organisms or organisms or against antigenic substances prepared from the organism of organisms.)

1. *Proper Name*.—The proper name of any anti-bacterial serum to which Division A of this Part of this Schedule applies shall be the recognized scientific name of the organisms or some generally recognized abbreviation thereof, preceded by the prefix "anti", and followed by the word "serum", as, for example, "anti-meningococcus serum". The proper name of any anti-toxin serum may be formed from the word "anti-toxin", preceded by the name of the organism from which the toxin was prepared, and followed, if desired, by a term indicating the source or the strain of that organism, for example, "streptococcus anti-toxin (Scarlatina)".

2. *Quality*.—(1) Any such serum shall be issued for therapeutic use in the form of either.—

(a) natural serum *i. e.* the liquid product of (decantation of) the coagulated blood or plasma without any addition, other than antiseptic, or subtraction; or

(b) a solution of the purified serum proteins containing the specific antibodies.

(2) At the time of issue, the liquid shall be clear or show, at most a slight opalescence or precipitate. Preparations of the natural serum shall not contain more than 10 per cent of solid matter. A solution of the serum protein shall not contain more than 20 per cent of the solid matter.

3. *Labelling*.—(1) The label on the container shall indicate the total number of c.c. in the container.

(2) The label on the container or the label or wrapper on the package shall indicate the nature of the particular product, that is to say, whether natural serum, or a solution of the purified serum proteins.

4. *Cultures*.—The cultures used in immunizing the animals shall be at all times to open to inspection, and specimens shall be furnished for examination at the request of the licensing authority.

5. *Records*.—(1) The permanent records which the licensee is required to keep shall include the following particulars—

(a) as to the cultures—

(i) the source from which the culture was obtained ;

(ii) the nature of the material from which the culture was isolated and the date of its isolation ; and

(iii) evidence of the identity and specificity of the culture.

(b) as to the procedure used in immunizing the animals—

(i) the method of preparing the culture or antigen used for immunization ;

(ii) the dosage and methods employed in administering the culture of antigen ;

(iii) the period in the course of immunization at which blood is withdrawn for preparation of the serum.

(c) any tests which may have been applied to the serum to determine its content of specific antibodies or its specific therapeutic potency.

(2) If the licensee desires to treat the performance of any test recorded under sub-paragraph (1) (c) of this paragraph as determining the date of completion of manufacture for the purposes of Rule 109 he shall submit full particulars of the proposed test to the licensing authority and obtain his approval.

(B) PROVISIONS APPLICABLE TO ANTI-DYSENTERY SERUM (SHIGA) AND OTHER ANTI-DYSENTERY SERA.

ANTI-DYSENTERY SERUM (SHIGA)

1. *Proper Name*.—Anti-dysentery serum (Shiga) is the serum or the globulins containing the specific immune substance, separated from the blood of animal which have been immunized against the toxins, cultures or bacterial substances obtained by artificial culture of the *Bacillus dysenteria* (Shiga). The proper name of the substance is "Anti-dysentery serum (Shiga)."

2. *Standard preparation*.—The Standard preparation is a quantity of dried serum, obtained from horses immunized against the toxic constituents of the *Bacillus dysenteria* (Shiga), and keep in the National Institute for Medical Research, Hampsted.

3. *Quality*.—(1) Anti-dysentery serum (Shiga) shall be issued for therapeutic use in the form of either—

(a) the serum separated from the blood or plasma of the immunized animals ; or

(b) the solution of the globulins containing the specific immune substances ; or

(c) a dry powder prepared from (i) the natural serum or (ii) the globulins containing the specific immune substances.

(2) If issued in fluid form the liquid shall, at the time of issue, be clear or show, at most, a very slight opalescence or precipitate. Preparations of the natural serum (the liquid product of decantation, of the coagulated blood without any addition, other than antiseptic, or subtraction) shall not contain more than 10 per cent of total solid matter. A solution of the separated anti-toxic globulins shall not contain more than 20 per cent of total solid matter.

4. *Strength*.—The potency of anti-dysentery serum with respect to its content of antibodies for the toxic constituents of the *Bacillus dysenteria* (*Shiga*) shall be determined by intravenous injection into mice of mixtures of the serum with a solution or suspension of the said toxic constituents, which solution or suspension has been standardized in relation to the standard preparation of anti-dysentery serum.

(2) Each container of anti-dysentery serum (*Shiga*) shall contain a sufficient number of units in excess of the minimum total number or units indicated on the label to ensure that the said minimum total number of units will still be present in the container at the date appearing on the label pursuant to Rule 109 (3) (d) as the date up to which the preparation may be expected to retain its potency.

5. *Unit of Standardization*.—The unit of anti-dysentery serum (*Shiga*) for the purposes of these Rules is the specific neutralizing activity for the *Bacillus dysenteria* (*Shiga*) contained in such an amount of the standard preparation as the Medical Research Council in the United Kingdom may from time to time indicate as the quantity exactly equivalent to the unit accepted for international use.

6. *Labelling*.—The label on the container shall indicate—

(a) the minimum total number of units in the container ; and

(b) either (i) the potency of the preparation with respect to its anti-toxic value for the toxic constituents of the *Bacillus dysenteria* (*Shiga*), expressed as the minimum number of units per c. c. in the case of liquid products, or as the minimum number of units per gramme in the case of dry products; or (ii) the total number of c. c. in the container.

(2) The label on the container or the label or wrapper on the package shall indicate the nature of the particular product, that is to say, whether natural serum, or a solution of the globulins containing the specific immune substances, or a dried natural serum or dried globulins.

OTHER ANTI-DYSENTERY SERA.

7. *Proper Names*.—Anti-dysentery sera prepared by immunizing animals against bacilli producing dysentery in man, other than

the *B. dysenteria* (*Shiga*), shall conform with the provisions of Division (A) of this Part of this Schedule which are applicable to sera for which no potency test is prescribed. The proper name shall in each case be "Anti dysentery serum", followed, in brackets, by the personal name or other symbol by which the particular strain or strains of dysentery bacilli are identified by bacteriologists, as, for example, "Anti-dysentery Serum (Flexner)", "Antidysentery Serum (V)", "Anti-dysentery Serum (Flexner, Y)".

8. *Mixed sera*.—A mixed anti-dysentery serum, prepared by immunizing animals against the *B. dysenteria* (*Shiga*) and in addition against one or more of the other bacilli associated with human dysentery shall conform with the provisions of Division (A) of this Part of the Schedule, and shall also, with respect to its content of immune substances for the *B. dysenteria* (*Shiga*) and its products, conform with paragraphs 3, 4, 5, and 6 (2) in Division (B) thereof; and the number of units shown on the label shall indicate the neutralizing value of the serum for the products of the *B. dysenteria* (*Shiga*) only. The proper name of such a serum shall be "Antidysentery Serum" followed, in brackets, by the names of symbols indicating the strains used in its preparation, as, for example, "Anti dysentery Serum (*Shiga*, Flexner, Y)"

[C] PROVISIONS APPLICABLE TO DIPHTHERIA ANTI-TOXIN.

1. *Definition and Proper Names*.—Diphtheria anti-toxin is the serum or the anti-toxic-globulins separated from the blood of animals which have been immunized against diphtheria toxin. When the serum or anti-toxic globulins are obtained from the blood of horses or other equidaxe, the proper name of the substance is "diphtheria anti-toxin". When the serum or anti-toxic globulins are obtained from animals other than horses or other equidaxe, the proper name is "diphtheria anti-toxin" followed by the common name of the animal from which the substance is prepared.

2. *Standard preparation*.—The standard preparation is quantity of dried diphtheria anti-toxin kept in the National Institute for Medical Research, Hampstead, London.

3. *Strength*.—(1) Diphtheria anti-toxin having a potency of less than 400 units per c. c. in the case of liquid preparations, or less than 4,000 units per gramme in the case of dried preparations shall not be issued.

(2) Each container of diphtheria anti-toxin shall contain a sufficient number of units in excess of the minimum total number of units indicated on the label to ensure that the said minimum total number of units will still be present in the container at the date appearing on the label pursuant to Rule 109 (3) (d) as the date up to which the preparation may be expected to retain its potency.

4. *Quality*.—(1) Diphtheria anti-toxin shall be issued for therapeutic and prophylactic use in the form of either—

- (a) the serum separated from the blood or plasma of animals immunized against diphtheria toxin ; or
- (b) the solution of the globulins containing the specific anti-toxin; or
- (c) a dry powder prepared from (i) the natural serum or (ii) the antitoxic globulins containing no antiseptic or other added substance.

(2) If issued in fluid form the liquid at the time of issue shall be clear or shall show, at most, a very slight opalescence or precipitate. Preparations of the natural serum (the liquid product of decantation of the coagulated blood without any addition, other than antiseptic, or subtraction) shall not contain more than 10 per cent of solid matter. A solution of the separated anti-toxic globulins shall not contain more than 0.1 gramme of solid matter for each 500 anti-toxin units,

5. *Unit of standardization.*—The unit of diphtheria anti-toxin for the purposes of these Rules is the specific neutralizing activity for diphtheria toxin contained in such an amount of the standard preparation as the Medical Research Council in the United Kingdom may from time to time indicate as the quantity exactly equivalent to the unit accepted for international use.

6. *Test for potency.*—The potency in unit of diphtheria anti-toxin shall be determined in accordance with a method approved by the licensing authority by the injection into guinea-pigs of a mixture consisting of the anti-toxin under test and of a diphtheria toxin which has been standardised in relation to the standard preparation.

7. *Labelling.*—(1) The label on the container shall indicate—

- (a) the minimum total number of units in the container; and
- (b) either (i) the potency of the preparation expressed as the minimum number of units of anti toxin per c. c. in the case of liquid products, or as the minimum number of units of anti-toxin per gramme in the case of dry products; or (ii) the total number of c. c. in the container.

(2) The label on the container or the label or wrapper on the package shall indicate the nature of the particular product, that is to say, whether natural serum, or a solution of anti-toxic globulins, dried natural serum, of dried anti-toxic globulins.

(D) PROVISIONS APPLICABLE TO TETANUS ANTI-TOXIN.

1. *Proper Name.*—Tetanus Anti-toxin is the serum, or the anti-toxic globulins separated from the blood of animals which have been immunized against tetanus toxin. The proper name of the substance is "Tetanus anti-toxin".

2. *Standard preparation.*—The standard preparation is a quantity of dried tetanus anti-toxin kept in the Natural Institute for Medical Research, Hampstead, London.

3. *Strength.*—(1) Tetanus anti-toxin having a potency of less than 300 units per c.c. in the case of liquid preparations or less

than 3,000 units per gramme in the case of dried preparations, shall not be issued for prophylactic use.

Tetanus anti-toxin having a potency of less than 1,600 units per c.c. in the case of liquid preparations, or less than 16,000 units per gramme in the case of dried preparations shall not be issued for the treatment of tetanus.

(2) Each container of tetanus anti-toxin shall contain a sufficient number of unit in excess of the minimum total number of units indicated on the label to ensure that the said minimum total number of units will still be present in the container at the date appearing on the label pursuant to Rule 109(3)(d) as the date up to which the preparation may be expected to retain its potency.

4. *Quality*.—(1) Tetanus anti-toxin shall be issued for therapeutic and prophylactic use in the form of either—

(a) the serum separated from the blood or plasma of animals immunized against tetanus toxin ; or

(b) the solution of the globulins containing the specific anti-toxin ; or

(c) a dry powder prepared from (i) the natural serum (ii) the anti-toxic globulins, and containing no antiseptic or other added substance.

(2) If issued in fluid form the liquid at the time of issue shall be clear or show at most a very slight opalescence or precipitate. Preparations of the natural serum (the liquid product of decantation of the coagulated blood without any addition, other than antiseptic, or subtraction) shall not contain more than 10 per cent of total solid matter. A solution of the separated anti-toxic globulins shall not contain more than 0.1 gramme of solid matter for each 600 anti-toxin units.

5. *Unit of Standardization*.—The unit of tetanus anti-toxin for the purposes of these Rules is the specific neutralizing activity for tetanus toxin contained in such an amount of the standard preparation as the Medical Research Council in the United Kingdom may from time to time quantity exactly equivalent to the unit accepted for international use.

6. *Test for potency*.—The potency in units of tetanus anti-toxin shall be determined by the subcutaneous injection into guinea-pigs or mice of mixtures of the preparation with a tetanus toxin which has been standardized in relation to the standard preparation of tetanus anti-toxin. The neutralizing value may be determined by observation either—

(a) of the greatest dose which fails to protect a guinea-pig or mouse from death within four days, or

(b) of the least dose which suffices to protect a mouse or guinea-pig from the appearance of symptoms of tetanus.

7. *Labelling*.—(1) The label on the container shall indicate—

(a) the minimum total number of units in the container ; and

(b) either (i) the potency of the preparation expressed as the minimum number of units of anti-toxin per c. c. in the case of liquid products, or as the minimum number of units of anti-toxin per gramme in the case of dry products ; or (ii) the total number of c.c. in the container ; and

(c) a statement that the numbers of units indicated are equivalent to one-half of those numbers of American units.

(2) The label on the container or the label or wrapper on the package shall indicate the nature of the particular products, that is to say, whether natural serum, a solution of anti-toxic globulins, dried natural serum, or dried anti-toxin globulins.

[E]. PROVISIONS APPLICABLE TO GAS-GANGRENE ANTI-TOXIN (PERFRINGENS).

1. *Proper Names.*—Gas Gangrene Anti-toxin (perfringens) is the serum, or the anti-toxic globulins, separated from the blood of animals which have been immunized against the specific toxin prepared by the growth of *Bacillus perfringens* (*B. welchii*) in a fluid medium. The proper name of the substance is "Gas-Gangrene Anti-toxin (Perfringens)".

2. *Standard preparation.*—The standard preparation is a quantity of dried gas-gangrene anti-toxin (perfringens) kept in the National Institute for Medical Research, Hampstead, London.

3. *Quality.*—(1) Gas-gangrene anti-toxin shall be issued for therapeutic use in the form of either—

(a) the serum separated from the blood or plasma of the immunized animals ; or

(b) the solution of the globulins containing the specific immune substances ; or

(c) a dry powder prepared from (i) the natural serum or (ii) the globulin containing the specific immune substances.

(2) If issued in fluid from the liquid shall, at the time of issue, be clear or whow, at most, a very slight opalescence or precipitate. Preparations of the natural serum (the liquid product of decantation of the coagulated blood. without any addition, other than antiseptic, or subtraction) shall not contain more than 10 per cent of solid matter. A solution of the separated anti-toxic globulins shall not contain more than 20 per cent of total solid matter.

4. *Strength.*—The potency in units of gas-gangrene anti-toxin (perfringens) shall be determined, in accordance with a method approved by the licensing authority, by the injection into animals of a mixture of the anti-toxin under test with a gas-grangrene (perfringens) toxin which has been standarized in relation to the standard preparation of gas-gangrene antitoxin (perfringens).

(2) Each container of gasgangrene anti-toxin (perfringens) shall contain a sufficient number of units in excess of the minimum total number of units indicated on the label to ensure that the said minimum total number of units will still be present in the container

at the date appearing on the label pursuant to Rule 109 (3) (d) as the date up to which the preparation may be expected to retain its potency.

5. *Units of standardization.*—The unit of gas-gangrene anti-toxin (perfringens) for the purposes of these Rules is the specific neutralizing activity for gas-gangrene (perfringens) toxin contained in such an amount of the standard preparation as the Medical Research Council in the United Kingdom may from time to time indicate as the quantity exactly equivalent to the unit accepted for international use.

6. *Labelling.*—(1) The label on the container shall indicate—
(a) the minimum total number of units in the container; and

(b) either (i) the potency of the preparation expressed as the minimum number of units of anti-toxin per c. c. in the case of liquid products or as minimum number of units of anti-toxin per gramme in the case of dry products; or (ii) the total number of c.c. in the container.

(2) The label on the container or the label or wrapper on the package shall indicate the nature of the particular product, that is to say, whether natural serum, a solution of anti-toxic globulins, dried natural serum or dried anti-toxin globulins.

7. *Mixed anti-toxins.*—Mixed anti toxin, containing anti-toxins against other toxins than that of the *Bacillus perfringens*, shall, with respect to its content in units of gas gangrene anti toxin (perfringens), conform with paragraph 4, 5 and 6.

[F] PROVISIONS APPLICABLE TO GAS-GANGRENE ANTI-TOXIN (OEDEMATIENS).

1. *Proper Name.*—Gas-Gangrene Anti-toxic (Oedematiens) is the serum, or the anti-toxin globulins, separated from the blood of animals which have been immunized against the specific toxin prepared by the growth of *clostridium oedematiens* in a fluid medium. The proper name of the substance is "Gas Gangrene Anti-toxin (Oedematiens)."

2. *Standard preparation.*—The standard preparation is a quantity of dried gas-gangrene anti-toxin (oedematiens) kept in the National Institute for Medical Research, Hampstead, London.

3. *Quality.*—(1) Gas Gangrene Anti toxin (Oedematiens) shall be issued for therapeutic use in the form of either—

(a) the serum separated from the blood or plasma of the immunized animals, or

(b) the solution of the globulins containing the specified immune substances; or

(c) the dried solid prepared from (i) the natural serum or (ii) the globulins containing the specified immune substances.

(2) If issued in fluid from the liquid shall, at the time of issue, be clear or show, at most, a very slight opalescence or precipitate. Preparations of the natural serum (the liquid product of decantation of the coagulated blood or plasma without any addition, other than antiseptic or subtraction) shall not contain more than 10 per cent

of solid matter. A solution of the separated anti-toxic globulins shall not contain more than 20 per cent of solid matter.

4. *Strength*.—(1) The potency in units of gas gangrene anti-toxin (oedematiens) shall be determined, by a method approved by the licensing authority, by the injection into animals of a mixture of the anti-toxin under test with a gas gangrene (oedematiens) toxin which has been standardized in relation to the standard preparation of gas-gangrene anti toxin (oedematiens).

(2) Each container of gas-gangrene anti-toxin (oedematiens) shall contain a sufficient number of units in excess of the minimum total number of units indicated on the label to ensure that the said minimum total number of units will still be present in the container at the date appearing on the label pursuant to Rule 109 (3) (d) the date up to which the preparation may be expected to retain its potency.

5. *Unit of standarization*.—The unit of gas-gangrene anti-toxin (oedematiens) for the purposes of these Rules is the specific neutralizing activity for gas-gangrene (oedematiens) toxin contained in such an amount of the standard preparation as the Medical Research Council in the United Kingdom may from time to time indicate as the quantity exactly equivalent to the unit accepted for international use.

6. *Labelling*.—(1) The label on the container shall indicate—

(a) the minimum total number of units in the container; and

(b) either (i) the potency of the preparation expressed as the minimum number of units of anti-toxin per c. c. in the case of liquid products, or as the minimum number of units of anti-toxin per gramme in the case of dry products; or (ii) the total number of c.c. in the container.

(2) The label on the container or the label or wrapper on the package shall indicate the nature of the particular product, that is to say, whether natural serum, a solution of anti-toxic globulins, dried natural serum or dried anti-toxic globulins.

7. *Mixed anti-toxins*.—A mixed anti-toxin, containing anti-toxins against other toxins than that of *Clostridium oedematiens* shall, with respect to its content in units of gas-gangrene anti-toxin (oedematiens) conform with paragraphs 4, 5 and 6.

(G) PROVISIONS APPLICABLE TO GAS-GANGRENE ANTI-TOXIN (VIBRION SEPTIQUE)

1. *Proper Name*.—Gas Gangrene Anti toxin (Vibron Septique) is the serum or the anti-toxic globulins, separated from the blood of animals which have been immunized against the specific toxin prepared by the growth of the *Clostridium* commonly known as vibron septique in a fluid medium. The proper name of the substance is "Gas Gangrene Anti-toxin (Vibron Septique)".

2. *Standard preparation*.—The standard preparation is a quantity of dried gas-gangrene anti toxin (vibron septique) kept in the National Institute for Medical Research, Hampstead, London.

3. *Quality*.—(1) Gas-gangrene Anti-toxin (Vibron Septique) shall be issued for therapeutic use in the form of either—

(a) the serum separated from the blood or plasma of the immunize animals; or

(b) the solution of the globulins containing the specific immune substances ; or

(c) the dried solid prepared from (i) the natural serum or (ii) the globulins containing the specific immune substances.

(2) If issued in fluid form the liquid shall at the time of issue, be clear or show, at most, a very slight opalescence or precipitate. Preparations of the natural serum (the liquid product of decantation of the coagulated blood or plasma without any addition, other than antiseptic or subtraction) shall not contain more than 10 per cent of solid matter. A solution of the separated anti-toxic globulins shall not contain more than 20 per cent of solid matter.

4. *Strength*.—(1) The potency in units of gas-gangrene anti-toxin (vibron septique) shall be determined, by a method approved by the licensing authority, by the injection into animals of a mixture of the antitoxin under test with a gas-gangrene (vibron septique) toxin which has been standardized in relation to the standard preparation of gas-gangrene anti-toxin (vibron septique).

(2) Each container of gas-gangrene anti-toxin (vibron septique) shall contain a sufficient number of units in excess of the minimum total number of units indicated on the label to ensure that the said minimum total number of units will still be present in the container at the date appearing on the label pursuant to Rule 109 (3) (d) as the date up to which the preparation may be expected to retain its potency.

5. *Unit of standardization*.—The unit of gas-gangrene anti-toxin (vibron septique) for the purposes of these Rules is the specific neutralizing activity for gas-gangrene (vibron septique) toxin contained in such an amount of the standard preparation as the Medical Research Council in the United Kingdom may from time to time indicate as the quantity exactly equivalent to the unit accepted for international use.

6. *Labelling*.—(1) The label on the container shall indicate—

(a) The minimum total number of units in the container; and

(b) either (i) the potency of the preparation expressed as the minimum number of units of anti-toxin per c.c. in the case of liquid products or as the minimum number of units of anti-toxin per gramme in the case of dry products; or (ii) the total number of c.c. in the container.

(2) The label on the container or the label or wrapper on the package shall indicate the nature of the particular product, that is to say, whether natural serum, a solution of anti-toxin globulins, dried natural serum or dried anti-toxic globulins.

Mixed anti-toxins.—A mixed anti-toxin, containing anti-toxins against other toxins than that of the *clostridium* commonly known as vibriion septique shall, with respect to its content in units of gas-gangrene anti-toxin (vibriion septique) conform with paragraphs 4, 5 and 6.

(H) PROVISIONS APPLICABLE TO GAS-GANGRENE ANTI-TOXIN
(HISTOLYTICUS)

1 *Proper Names.*—Gas-gangrene Anti-toxin (Histolyticus) is the serum, or the anti-toxic globulins, separated from the blood of animals which have been immunized against the specific toxin prepared by the growth of *clostridium histolyticus* in a fluid medium. The proper name of the substance is "Gas-Gangrene Anti-toxin (Histolyticus)".

2. *Standard preparation.*—The standard preparation is a quantity of dried gas-gangrene anti-toxin (histolyticus) kept in the National Institute for Medical Research, Hampstead, London.

3. *Quality.*—(1) Gas-Gangrene Anti-toxin (Histolyticus) shall be issued for therapeutic use in the form of either—

(a) the serum separated from the blood plasma of the immunized animals; or

(b) the solution of the globulins containing the specific immune substances; or

(c) the dried solid prepared from (i) the natural serum or (ii) the globulins containing the specific immune substances.

(2) If issued in fluid form the liquid shall, at the time of issue be clear or show, at most, a very slight opalescence or precipitate. Preparations of the natural serum (the liquid product of decantation of the coagulated blood or plasma without any addition other than antiseptic or subtraction) shall not contain more than 10 per cent of solid matter. A solution of the separated anti-toxic globulins shall not contain more than 20 per cent of solid matter.

4. *Strength.*—(1) The potency in units of gas-gangrene anti-toxin (histolyticus) shall be determined in accordance with a method approved by the licensing authority, by the injection into animals of a mixture of the anti-toxin under test with gas-gangrene (histolyticus) toxin which has been standardized in relation to the standard preparation of gas-gangrene antitoxin (histolyticus).

(2) Each container of gas-gangrene anti-toxin (histolyticus) shall contain a sufficient number of units in excess of the minimum total number of units indicating on the label to ensure that the said minimum total number of units will still be present in the container at the date appearing on the label pursuant to Rule 109 (3) (b) of these Rules at the date up-to which the preparation may be expected to retain its potency.

5. *Unit of standardization.*—The unit of gas-gangrene anti-toxin (histolyticus) for the purposes of these Rules is the specific neutralizing activity for gas-gangrene (histolyticus) toxin contained in such an amount of the standard preparation as the Medical Research Council in the United Kingdom may from time to time indicate as the quantity exactly equivalent to the unit accepted for international use.

6. *Labelling.*—(1) The label on the container shall indicate—

(a) the minimum total number of units in the container and

(b) either (i) the potency of the preparation expressed as the minimum number of units of antitoxin per c.c. in the case of liquid products, or as the minimum number of units of anti-toxin per gramme in the case of dry products; or (ii) the total number of c.c. in the container.

(2) The label on the container or the label or wrapper on the package shall indicate the nature of the particular product, that is to say, whether natural serum a solution of anti-toxin globulins, dried natural serum or dried anti-toxin globulins.

7. *Mixed anti-toxins.*—A mixed anti-toxin containing anti-toxins against other toxins than that of clostridium histolyticus shall with respect to its content in units of gas-gangrene anti-toxin (histolyticus), conform with paragraphs 4, 5 and 6.

(1) PROVISIONS APPLICABLE TO ANTI-PNEUMOCOCCUS SERUM (TYPE I).

1. *Proper Name.*—Anti-pneumococcus Serum (Type I) is the serum, or the globulins containing the specific immune substances, separated from the blood of animal which have been immunized against cultures of a pneumococcus (*Diplococcus pneumoniae*) of the variety known as Type I. The proper name of the substance is Anti-pneumococcus Serum (Type I)".

2. *Standard preparation.*—The standard preparation is a quantity of dried anti-pneumococcus serum (Type I) kept at the National Institute for Medical Research, Hampstead, London.

3. *Quality.*—(1) Anti-pneumococcus Serum (Type I) shall be issued for therapeutic use in the form of either—

(a) the serum separated from the blood or plasma of the immunized animals, or

(b) the solution of the globulins containing the specific immune substances; or

(c) the dried solid prepared from (1) the natural serum or (ii) the globulins containing the specific immune substances.

(2) If issued in fluid form the liquid shall, at the time of issue, be clear or show, at most, a slight opalescence or precipitate. Preparations of the natural serum (the liquid product of decantation of the coagulated blood or plasma without any addition, other than antiseptic, or subtraction) shall not contain more than 10 per cent of total solid matter. A solution of the separated globulins shall not contain more than 20 per cent of total solid matter.

4. *Strength*.—The potency in units of anti-pneumococcus serum (Type I) shall be determined, in accordance with a method approved by the licensing authority, by comparison of the activity of the serum under test in protecting animals against the lethal action of a virulent culture of *Diplococcus pneumonia* (Type I) with the activity under identical conditions of the standard preparation of anti-pneumococcus serum (Type I).

5. *Unit of standardization*.—The unit of anti-pneumococcus serum (Type I) for the purposes of these Rules is that quantity of the standard preparation which the Medical Research Council in the United Kingdom may from time to time indicate as the quantity exactly equivalent to the unit accepted for international use.

6. *Labelling*.—(1) The label on the container shall indicate—

(a) the minimum total number of units in the container; and

(b) either (i) the potency of the preparation expressed as the minimum number of units per c.c. in the case of liquid products or as the minimum number of units per gramme in the case of dry products; or (ii) the total number of c.c. in the container.

(2) The label on the container or the label or wrapper on the package shall indicate the nature of the particular product, that is to say, whether natural serum, a solution of anti-toxic globulins, dried natural serum or dried anti-toxic globulins.

(3) The date to be indicated under Rule 109 (3) (d) shall not be later than two years after the date of manufacture

7. *Mixed anti-pneumococcus Sera*.—A mixed anti-pneumococcus serum containing anti-bodies against strains of *Diplococcus pneumonia* other than those of the variety known as Type I, shall with respect to its content in units of anti-pneumococcus serum (Type I) conform with paragraphs 4, 5 and 6 of this part of this Schedule.

(J) PROVISIONS APPLICABLE TO ANTI PNEUMOCOCCUS SERUM TYPE II)

1. *Proper Name*.—Anti-pneumococcus Serum (Type II) is the serum, or the globulins containing the specific immune substances separated from the blood of animals which have been immunized against cultures of a pneumococcus (*Diplococcus pneumoniae*) of the variety known as *Type II*. The proper name of the substance is “Anti-pneumococcus Serum (Type II)”.

Standard preparation.—The standard preparation is a quantity of dried anti-pneumococcus serum (Type II) kept at the National Institute for Medical Research Hampstead, London.

3. *Quality*.—(1) Anti-pneumococcus Serum (Type II) shall be issued for therapeutic use in the form of either—

(a) the serum separated from the blood or plasma of the immunized animals, or

(b) the solution of the globulins containing the specific immune substances; or

(a) the dried solid prepared from (i) the natural serum or (ii) the globulins containing the specific immune substances.

(2) If issued in fluid from the liquid shall, at the time of issue be clear or show, at most, a slight opalescence or precipitate. Preparations of the natural serum (the liquid product of decantation of the coagulated blood or plasma without any addition, other than antiseptic, or subtraction) shall not contain more than 10 per cent of the total solid matter. A solution of the separated globulins shall not contain more than 20 per cent of total solid matter.

4. *Strength*.—The potency in units of anti-pneumococcus serum (Type II) shall be determined, in accordance with a method approved by the Licensing authority, by comparison of the activity of the serum under test in protecting animals against the lethal action of a virulent culture of *Diplococcus pneumonia* (Type II) with the activity under identical conditions of the standard preparation of anti-pneumococcus serum (Type II).

5. *Unit of standardization*.—The unit of anti-pneumococcus serum (Type II) for the purposes of these Rules is that quantity of the standard preparation which the Medical Research Council in the United Kingdom may from time to time indicate as the quantity exactly equivalent to the unit accepted for international use.

6. *Labelling*.—(1) The label on the container shall indicate—

(a) the minimum total number of units in the container; and

(b) either (i) the potency of the preparation expressed as the minimum number of units per c. c. in the case of liquid products or as the minimum number of units per gramme in the case of dry products; or (ii) the total number of c. c. in the container.

(2) The label on the container or the label or wrapper on the package shall indicate the nature of the particular product, that is to say, whether natural serum, a solution of anti-toxic globulins, dried natural serum or dried anti-toxic globulins.

(3) The date to be indicated under Rule 109 (3) (d) shall not be later than two years after the date of manufacture.

7. *Mixed anti-pneumococcus sera*.—A mixed anti-pneumococcus serum containing anti-bodies against strains of *Diplococcus pneumonia* other than those of the variety known as Type II, shall, with respect to its content in units of anti-pneumococcus serum (Type II) conform with paragraphs 4, 5 and 6.

(K) PROVISIONS APPLICABLE TO STAPHYLOCOCCUS ANTI-TOXIN.

1. *Proper Name*.—Staphylococcus anti-toxin is the serum, or the anti-toxic globulins, separated from the blood of animals which have been immunized against the toxin prepared by artificial culture on suitable media of Staphylococci obtained from cases of infection. The staphylococcus toxin is characterized by its lethal action when injected into susceptible animals, by the production of inflammation and necrosis when injected intracutaneously into susceptible animals,

and by its lytic action *in vivo* on the red blood corpuscles of the rabbit, Staphylococcus anti-toxin is characterized by its power of neutralizing these activities of the staphylococcus toxin when mixed with it in effective proportions. The proper name of the substance is "Staphylococcus Anti-toxin"

2. *Standard preparation.*—The standard preparation is a quantity of dried staphylococcus anti-toxin kept in the National Institute for a Medical Research, Hampstead, London.

3. *Quality.*—(1) Staphylococcus anti-toxin shall be issued for therapeutic use in the form of either—

(a) the serum separated from the blood or plasma or the immunized animals; or

(b) the solution of the globulins containing the specific immune substances; or

(c) the dried solid prepared from (i) the natural serum or (ii) the globulins containing the specific immune substances.

(2) If issued in fluid form the liquid shall, at the time of issue, be clear or show, at most, a very slight opalescence, or precipitate. Preparations of the natural serum (the liquid product of decantation of the coagulated blood or plasma without any addition, other than antiseptic or subtraction) shall not contain more than 10 per cent of solid matter. A solution of the separated anti-toxic globulin shall not contain more than 20 per cent of total solid matter.

4. *Strength.*—(1) The potency in units of staphylococcus anti-toxin shall be determined, in accordance with a method approved by the licensing authority and based on the specific neutralizing action of the anti-toxin under test on a staphylococcus toxin which has been standardized in relation to the standard preparation of staphylococcus anti-toxin.

(2) Each container of staphylococcus anti-toxin shall contain a sufficient number of units in excess of the total minimum of units indicated on the label to ensure that the said minimum total number of units will still be present in the container at the date appearing on the label pursuant to Rule 109 (3) (d) as the date up to which the preparation may be expected to retain its potency.

5. *Unit of standardization.*—The unit of staphylococcus anti-toxin for the purposes of these Rules is the specific neutralizing activity for staphylococcus toxin contained in such an amount of the standard preparation as the Medical Research Council in the United Kingdom may from time to time indicate as the quantity exactly equivalent to the unit accepted for international use.

6. *Labelling.*—(1) The label on the container shall indicate—

(a) the minimum total number of units in the container; and

(b) either (i) the potency of the preparation expressed as the minimum number of units of anti-toxin per c.c. in the case of liquid products, or as the minimum number of units of anti-toxin per

gramme in the case of dry products (ii) the total number of c.c. in the container.

(2) The label on the container or the label or wrapper on the package shall indicate the nature of the particular product, that is to say, whether natural serum, a solution of anti-toxic globulins, dried natural serum or dried anti-toxic globulins.

(L) PROVISIONS APPLICABLE TO ANTI-VENOM SERUM (ANTI VENENE).

1. *Proper Name.*—Anti-venom Serum or (anti-venene) is the serum or the globulins containing the specific neutralizing substances separated from the blood of animals which have been immunized against the venom of the one or more poisonous snakes. The proper name of the substance is Anti venom Serum (or anti-venene) followed by names of the species of snakes against the venoms of which it has been prepared.

2. *Standard preparations.*—The standard preparations are quantities of the dried venom of the Indian Cobra (*Naia tripudians*), Russell's Viper (*Vipera russellii*) kept at the Central Research Institute, Kasauli.

3. *Quality.*—(1) Anti-venom serum (or anti-venene) shall be issued for therapeutic use in the form of either—

(a) the serum separated from the blood or plasma of immunized animals ; or

(b) the solution of the globulins containing the specific neutralizing substances ; or

(c) a dry powder prepared from (i) the natural serum or (ii) the globulins containing the specific neutralizing substances.

(2) If issued in fluid form the liquid shall, at the time of issue, be clear or show, at most, a very slight opalescence or precipitate. Preparations of the natural serum (the liquid product of decantation of the coagulated blood without any addition, other than antiseptic or subtraction) shall not contain more than 10 per cent of total solid matter. A solution of the separated neutralizing globulins shall not contain more than 20 per cent of total solid matter.

4. *Strength* —(1) The potency of anti-venom serum (or anti-venene) shall be determined in accordance with a method approved by the licensing authority.

5. *Labelling.*—(1) The label on the container shall indicate—

(a) the potency of the preparation expressed as the weight of dried venom each species of poisonous snake against which it is prepared; is neutralized, under the method of test employed, by one cubic centimetre of the serum ;

(b) the total number of cubic centimetres in the container.

(2) The label on the container or the label or wrapper on the package shall indicate the nature of the particular product, that is to

say, whether natural serum, or a solution of the globulins containing the specific neutralizing substances, or a dried natural serum or dried globulins.

PART V.—ARSPHENAMINE AND ITS DERIVATIVES.

(A) GENERAL PROVISIONS APPLICABLE TO ARSPHENAMINE AND TO ITS DERIVATIVES.

1. *Standard preparation.*—The standard preparations of arspenamine and of the derivatives thereof are quantities of those preparations kept in the National Institute for Medical Research, Hampstead, London.

2. *Biological tests.*—(1) The tests shall be carried out either—

(a) in a central institution appointed by the licensing authority ; or

(b) if the licensing authority so direct, the laboratories of the licensee.

(2) The licensee shall, if the licensing authority so direct, transmit to the appointed institution for testing a sample from each finished batch of arspenamine, or its derivative, intended for issue. The sample shall consist of at least six sealed containers of the product as completed for issue, taken by random sampling from the whole batch, and each containing at least 0.6 gramme of the product.

If the licensing authority direct that the tests shall be carried out in the laboratories of the licensee, they shall be carried out in strict accordance with the directions given by the authority, and in comparison with the standard preparation of arspenamine or the derivative thereof corresponding to the product under test.

(3) The tests shall consist of the following :—

(a) *Test for maximum toxicity.*—Several separate containers from each finished batch shall be tested for toxicity by intravenous (or where the Part of this Schedule relating to a particular derivative requires, by subcutaneous) injection into at least ten mice and five rats, or into such number of animals of some other species as the licensing authority may consider equivalent, and no batch shall be passed for issue which shows a toxicity greater than that of the standard preparation when tested under identical conditions. The tests shall be conducted in accordance with such detailed instructions as the licensing authority may issue.

(b) *Test for therapeutic potency.*—Samples from each batch shall be tested for therapeutic potency on a series of mice or rats infected with a suitable strain of pathogenic trypanosomes (*T. brucei*, *T. equiperdum*, etc.) in accordance with the following general method and with such detailed instructions as the licensing authority may issue (i) the mice or rats on which the test is made shall be infected with the trypanosome employed to an equal degree being determined by enumeration per unit volume of blood; (ii) samples from each batch shall be tested by means of several doses each of which shall be administered to at least five of the animals, and the

result shall be evaluated by comparison with the effects of the standard preparation, administered to animals of the same species, having the same degree of infection.

4. *Method of issue*.—Arsphenamine and any derivative of arsphenamine shall be issued in the form of a dry powder either in evacuated glass containers or in glass containers which have been filled before being sealed with some inert gas to the exclusion of oxygen unless permission is given by the licensing authority for the issue of a particular derivative in some other form.

(B) SPECIAL PROVISIONS APPLICABLE TO NEOARSPHENAMINE.

1. *Proper Name*.—Neoarsphenamine is the sodium salt of dioxydiamino-arsenobenzene-methylene sulphylic acid. Its proper name is "Neoarsphenamine".

2. *Quality*.—Neoarsphenamine must have the following physical and chemical characteristics :—

(a) The substance must be in the condition of a yellow dry powder, freely mobile in contact with glass surfaces, and without odour, except such as is due to traces of ether or alcohol ;

(b) the substance must be soluble in water, but insoluble in absolute ethyl alcohol and in ether. If 0.6 gramme of substance is added to 10 cubic centimetre of distilled water, it must dissolve rapidly and completely and form a clear, yellow solution, mobile and free from gelatinous particles and suspended matter of every kind ;

(c) a normal solution of sodium carbonate or a 5 per cent solution of the anhydrous carbonate, added, in equal volume to a 10 per cent aqueous solution of neoarsphenamine, must not produce a precipitate ;

(d) diluted hydrochloric acid (B.P.) added in equal volume to a 10 per cent aqueous solution of neoarsphenamine must give a yellow precipitate of the free acid from neoarsphenamine. If the mixture is warmed, sulphur dioxide must be evolved so as to be detected by iodate-starch paper ;

(e) when a solution of 0.2 gramme of neoarsphenamine in 10 c.c. water is acidified with phosphoric acid and distilled to about one-half its volume, formaldehyde must be evolved so as to be detected in the distillate by a red ring formed at the line of contact when five drops of a 1 per cent solution of phenol is added and a layer of sulphuric acid is run under the mixture ;

(f) the dry powder, as taken directly from the ampoules in which it is issued, must contain not less than 18 per cent nor more than 21 per cent of arsenic, as determined by a method approved by the licensing authority.

3. *Test for stability*.—The product as filled into ampoules shall be kept at a temperature of 56°C. for at least 24 hours and shall retain colour, physical properties and solubility substantially unchanged at the end of that period.

(C) SPECIAL PROVISIONS APPLICABLE TO SULPHARSPHENAMINE.

1. *Proper Name*.—Sulpharsphenamine is the sodium salt of dioxydiamino-arsenobenzene-methylene-sulphurous acid. Its proper name is Sulpharsphenamine”,

2. *Quality*.—Sulpharsphenamine must have the following physical and chemical characteristics :—

(a) The substance must be in the condition of a yellow dry powder freely mobile in contact with glass surfaces, and without odour, except that due to traces of ether or alcohol ;

(b) the substance must be soluble in water but insoluble in alcohol and in ether. If 0.6 gramme of the substance is added to 1 c.c of distilled water, it must dissolve rapidly, and completely, and form a clear, yellow solution, mobile and free from gelatinous particles suspended matter of every kind;

(c) a normal solution of sodium carbonate or a 5 per cent solution of the anhydrous carbonate, added in equal volume to a 10 per cent aqueous solution of sulpharsphenamine must not produce a precipitate ;

(d) five volumes of diluted hydrochloric acid (B.P.) added to one volume of a 10 per cent aqueous solution of sulpharsphenamine must give, after a few minutes, a yellow precipitate of the free acid from sulpharsphenamine. If the mixture is boiled, sulphur dioxide must be evolved so as to be detected by iodate-starch paper ;

(e) when a solution of 0.2 gramme of sulpharsphenamine in 10 c.c. of water is acidified with phosphoric acid and distilled to about one half its volume formaldehyde must be evolved so as to be detected in the distillate by a red ring formed at the line of contact when five drops of a 1 per cent solution of phenol is added and a layer of sulphuric acid is run under the mixture;

(f) on addition of an equal volume of 1 in 10,000 indigo-carmin solution, a 10 per cent watery solution of sulpharsphenamine must not reduce the indigo carmine in five minutes at 50°C.;

(g) the dry powder, as taken directly from the ampoules in which it is issued, must contain not less than 18 per cent or more than 21 per cent of arsenic, as determined by a method approved by the licensing authority.

3. *Test for toxicity and therapeutic potency*.—The test of maximum toxicity and for therapeutic potency prescribed in paragraph 2 (3) of Section (A) of this Schedule shall, in the case of sulpharsphenamine, be carried out by subcutaneous injection into mice or rats.

4. *Test for stability*.—The product as filled into ampoules shall be kept at 56°C. for least 24 hours and shall retain its colour, physical properties and solubility substantially unchanged at the end of that period.

(D) SPECIAL PROVISIONS APPLICABLE TO DERIVATIVES OF
ARSPHENAMINE OTHER THAN THOSE SPECIFIED IN (B)
AND (C) OF THIS PART.

1. *Nature of substance.*—In the case of any derivative of arspenamine other than those specified in Sections (B) and (C) of this Part of this Schedule the applicant for a manufacturing or an import-licence shall submit to the licensing authority with his application a statement of the true chemical nature and composition of the derivative, and a full and detailed account of the chemical tests by which that composition is determined and by which the uniformity of successive batches is secured.

2. *Proper Name.*—The applicant shall also submit with his application the name which he proposes to use for the derivative to which the application relates and such name, if approved by the licensing authority, may be used as the proper name of the derivative.

3. *Chemical tests.*—If a licence is granted for the manufacture of such a derivative of arspenamine, the licensee shall carry out on each batch of the derivative such, if any, of the chemical tests submitted with the application as are accepted by the licensing authority, and any others which the authority may direct as requisite for determining the composition and securing its uniformity. No batch of the derivative which fails to pass any of the tests so accepted or directed shall be issued.

4. *Tests for toxicity and potency.*—Each batch of such derivative shall further be tested, by biological methods, for toxicity and potency, according to the methods prescribed in Section (A) of this Part of this Schedule. In the event of no standard preparation being available for a particular derivative, the tests shall be made in such form and their results interpreted in accordance with such criteria as the licensing authority may direct.

PART VI.—INSULIN.

1. *Proper Name.*—Insulin is the preparation of the specific anti-diabetic principle of the pancreas. Its proper name is "Insulin."

2. *Special conditions of licence.*—It shall be a condition of every licence to manufacture or to import insulin :—

(a) that it shall not be issued in a mixture with any other therapeutic agent except with the previous consent of the licensing authority ;

(b) that if issued for injection suspended in some medium in which it is not itself soluble, it shall be tested before suspension.

3. *Standard preparation.*—The standard preparation is a quantity of dry soluble insulin hydrochloride prepared and kept in the National Institute for Medical Research, Hampstead, London.

4. *Unit of standardization.*—The unit of insulin for the purposes of these Rules is the specific activity contained in such an

amount of the standard preparation as the Medical Research Council in the United Kingdom may from time to time indicate as the quantity exactly equivalent to the unit accepted for international use.

5. *Quality*.—The acidity of the prepared watery solution, as determined by a suitable indicator, shall be such that the hydrogen concentration is not less than that corresponding to $pH=4$, or greater than that corresponding to $pH=3$.

6. *Tests*.—(1) The methods used for testing the potency of preparations in comparison with the standard preparation shall be such as the licensing authority may from time to time approve.

(2) In addition, samples from each batch shall be tested in such manner as the licensing authority may direct for the purpose of ascertaining its stability under ordinary conditions of storage.

7. *Container*.—In the case of a prepared solution of insulin the glass of the container shall be non-alkaline resistance glass.

8. *Labelling*.—In the case of prepared solution of insulin the label on the container shall indicate the strength as the number of units per c.c., and in the case of compressed tablets as the number of units in each tablet.

PART VII.—PITUITARY (POSTERIOR LOBE) EXTRACT.

1. *Proper Name*—Pituitary extract is the watery extract prepared from the separated posterior lobe of the pituitary body or the watery solution of one or more of the separated active principles of that lobe. The proper name of the complete water extract is "Pituitary (posterior lobe) Extract". The proper name of a solution containing one of the separated active principles is "Oxytocic principle of the pituitary posterior lobe" or "Pressor principle of the pituitary posterior lobe" or such other name descriptive of such a solution as the licensing authority may in any particular case approve in writing.

2. *Standard preparation*.—The standard preparation is a quantity of dried acetone-extracted substance obtained from the posterior lobes of fresh pituitary bodies of oxen. The standard is kept in the National Institute for Medical Research, Hampstead, London.

3. *Unit of standardization*.—(1) The unit of pituitary extracts for the purposes of these Rules is the specific activity corresponding to that yielded by 0.5 milligramme of the standard preparation when extracted by the method approved by the licensing authority under this Part.

(2) When the preparation is a solution of a separated active principle the unit employed in indicating the strength shall be the amount of that active principle yielded to extraction by 0.5 mgm. of the standard preparation as determined by the appropriate biological test.

4. *Quality*.—The acidity of the prepared watery extract shall be such that the hydrogenion concentration is not less than that corresponding to $pH=4$, or greater than that corresponding to $pH=3$.

5. *Tests*.—(1) The method used for preparing the extract from the standard preparation and for its use in a comparative biological test and the biological methods employed in making the test shall be such as the licensing authority may from time to time approve.

(2) Samples from each batch of the finished product shall be tested for sterility in accordance with the methods set forth in Part X of the Rules unless the finished product has been sterilized by heat in a manner satisfactory to the licensing authority after being sealed in the containers.

6. *Container*.—The glass for the container shall be non-alkaline resistance glass.

7. *Labelling*.—The label on the container shall indicate the strength of the extract as the number of units per c.c.

8. The date to be specified in compliance with the requirements of Rule 109 (3) (d) shall be such date as the licensing authority shall in any particular case have approved in writing.

PART VIII.—LIQUOR ADRENALINAE HYDROCHLORIDIC B.P. FOR PARENTERAL ADMINISTRATION.

Proper Name.—Liquor Adrenalinae Hydrochloridi is a sterile solution of adrenaline in normal saline and hydrochloric acid, containing in each 100 c.c. not less than 0.09 gramme and not more than 0.110 gramme C₉H₁₃O₃N.

Standard preparation.—The standard preparation is a quantity of adrenaline B.P. which satisfies all the tests for purity specified in British Pharmacopoeia. The optical rotation of a four per cent w/v solution of standard Adrenaline N/1 hydrochloric acid, should be between—50 and —53 degrees.

Test for potency.—A suitable solution of adrenaline hydrochloride injected intravenously into a cat or a dog by the methods described below produced by an equal amount of a solution of adrenaline B.P.

(i) *Preparation of the solution for the test*.—The following method is suggested:—Weigh accurately about 0.050 gramme of standard adrenaline, dissolve it in 5 c.c. of N/10 hydrochloric acid and dilute this to 50 c.c. by the addition of distilled water, thus making a 1 in 1,000 solution. This solution must be hurriedly prepared, otherwise it deteriorates. It will keep for a short time if preserved in hard glass containers in a refrigerator, but it must be discarded if any signs of deterioration, such a discoloration, are observed.

Suitable dilutions of the standard adrenaline solution may then be made in physiological saline for comparison with equivalent dilutions of *Liquor Adrenalinæ Hydrochloride* to be tested.

(ii) *Methods of comparison of potency*.—Either of the following methods may be adopted :—

(a) For the purpose of the assay a full grown cat, preferably male, should be used. The cat should be anaesthetized with a suitable anaesthetic, the spinal Cord should be divided and the brain destroyed, the respiration being maintained artificially. The blood-pressure is estimated by inserting a cannula into the carotid artery and connecting the same with a mercury manometer which records on a moving drum. The injections are made into the exposed femoral vein. The blood-pressure must be low and must not vary before experiments are started.

Determine the amount of standard solution necessary to cause a sub-maximal rise in blood-pressure by injecting intravenously varying doses of the solution at regular intervals and after a satisfactory dose has been ascertained, the uniformity of reactions should be tested by the injection of two or more doses of equal size. If these injections produce approximately equal increases in blood-pressure, alternate injections of the solution to be tested and the standard are made carrying the amount of the unknown until two or more successive injections raise the blood-pressure to the same height, indicating that the amount of active agent is the same in the doses used. From the results thus obtained, the strength of the unknown solution may be determined and adjusted.

(b) For the purpose of the assay, a dog of medium size should be used. The animal should be anaesthetized with a suitable anaesthetic and maintained under artificial respiration. It is prepared for blood-pressure estimations by inserting a cannula into the carotid artery and connecting the same with a mercury manometer which records on a moving drum. The injections are made into the exposed femoral vein. Before the test is made, in case any muscular movement such as twitching is present, the dog should receive by intravenous injection a sufficient dose of curare, but if the animal is deeply anaesthetised this is not necessary. The dog should also receive a sufficient dose of atropine sulphate (from 0.001 gramme to 0.002 gramme) to paralyse the vagi, this paralysis being proved by electrical stimulation. Injections must be made at regular intervals of approximately five minutes.

Determine the amount of standard solution necessary to cause a rise in blood-pressure from 30 to to 60 mm. of mercury by injecting intravenously varying dose of the solution and after a satisfactory dose has been ascertained, the uniformity of reaction should be tested by the injection of two or more doses of equal size. If these injections produce approximately equal increases in blood-pressure alternate injections of the solution to be tested and of the standard

are made varying the amount of the unknown until two or more successive injections raise the blood-pressure to the same height indicating that the amount of active agent is the same in the doses used. From the results thus obtained, the strength of the unknown solution may be determined and adjusted.

Containers.—Ampoules shall be made of white resistance glass passing the B. P. tests for limits of alkalinity of glass. Containers other than ampoules shall be made of amber coloured resistance glass passing the B. P. tests for limits of alkalinity of glass.

Storage.—Liquor Adrenaline Hydrochloridi shall be kept in small well-filled, well-closed, bottles, or ampoules, protected from light. If the solution becomes brown in colour or contains a precipitate, it must be rejected. A suitable preservative may be added to the solution.

Labelling.—The label of the container shall contain the following in addition to any other particulars prescribed in these Rules:—

1. *Strength of the solution.*
2. The word "sterile" or "suitable for parenteral injection".
3. Dose (0.12 to 0.5 mil. by injection).
4. *Caution.*—If the solution is brown in colour or contains a precipitate it must be rejected.

PART IX.—ANY OTHER PREPARATIONS IN A FORM TO BE ADMINISTERED PARENTERALLY.

1. *Tests.*—The preparation shall be in a container which precludes the access of bacteria.

2. The composition of the preparation shall be in accordance with the composition stated on the label. Such deviations as may be allowed in the composition of the preparation shall be fixed by the Licensing Officer.

3. The preparation shall comply with tests for sterility.

4. If the container is made of glass, the glass shall pass the tests for limit of alkalinity in glass laid down in the British Pharmacopoeia.

PART X.—SURGICAL LIGATURE AND SURGICAL SUTURE.

1. *Proper Name.*—Surgical ligature or suture is any ligature or form of binding material of animal, vegetable or synthetic origin and offered or intended to be offered for sale for use in surgical operation upon the human body. Where such ligature or suture is offered or intended to be offered for sale as sterile and ready for use the proper name of the substance shall be "sterilized surgical ligature or sterilized surgical suture" followed, in brackets, by the accepted scientific name or a title descriptive of the true nature and origin of the substance as for example:—"sterilized surgical ligature (catgut)" or "sterilized surgical suture (horsehair)".

2. *Test for sterility.*—Every batch of surgical ligature (suture) shall consist entirely of material collected under uniform conditions

and simultaneously subjected or intended to be subjected to the same process or series of processes for rendering it sterile.

3. A sample of surgical ligature (suture) shall be taken from each batch consisting of not less than 1 per cent of the whole quantity of material constituting the batch. The sample shall, when practicable, be the contents of at least one whole container or packet, and shall be drawn at random from the whole number of containers or packets constituting the batch.

4. The sample shall be subjected to the following processes for testing its sterility :

(a) The container of packet shall be opened and the sample removed with aseptic precautions;

(b) after all the adherent fluid has been drained off as completely as possible the sample shall be placed entire in a test tube at least 3.5 cms. in diameter and 17.5 cms. in length and containing 50 mls. of sterile distilled water. This tube shall then closed by some method which will preclude the access of bacteria; and be placed in a incubator at 37 C. for 24 hours;

(c) after this incubation, the sample shall be aseptically transferred to a similar tube containing a solution of 1 per cent of sodium thiosulphate and 1 per cent of crystallized sodium carbonate in distiller water, the tube and solution having been previously sterilized in the autoclave. In this solution the sample shall again be incubated for 24 hours at 37 C. ;

(d) after the second incubation the sample shall be again removed aseptically and, without further washing, shall be examined for the presence of living bacteria and their spores.

The sterility tests shall be carried out either (i) by the method prescribed in Rules 117 (1), (2), (3) and 118 (1); or (ii) by placing the sample in a tube at least 3.5 cms. in diameter and 17.5 cms. in length containing not less than 50 mls. of a culture medium prepared by dissolving 0.2 per cent of prepared agar-agar in a nutrient bacteriological broth the mixture being sterilized in the autoclave :

Provided that, if a manufacturer satisfies the licensing authority that he has already in use tests for the presence of living aerobic or anaerobic bacteria, and that these tests, as applied by him, will detect the presence of such bacteria in the ligature (suture) as ready for issue with a certainty at least equal to that afforded by the application of the tests prescribed in the above mentioned articles the licensing authority may approve the use of such tests in the place of the tests so prescribed; but, in that event, the authority may at any time withdraw such approval and require the manufacturer to carry out the prescribed tests;

(e) the tubes of culture medium containing the sample shall be incubated at 37 C. for 12 days, and examined daily for the growth of bacteria;

(f) if no such growth is detected during this period, the batch from which the sample was drawn shall be treated as free from living bacteria and their spores, and as having passed the test :

Provided that, if a licensee satisfies the licensing authority that the tests prescribed in sub-paragraph (c) of this paragraph for freeing substances from combined or adherent antiseptics are not suitable for application to the substance which he is licensed to manufacture or import, the licensing authority may approve in writing the application of alternative tests in place of the tests so prescribed.

Labelling.—For the purpose of Rule 109 (3) (d) the date on which the manufacture of the batch is completed shall be the date on which the test for sterility was completed.

PART XI.—PROVISIONS APPLICABLE TO THE PRODUCTION OF BACTERIOPHAGES.

1. *Definition.*—(i) This part of this Schedule applies to the bacteriophages made from any micro-organism pathogenic to man or other animal.

(ii) For the purpose of this Part of this Schedule a bacteriophage means a sterile preparation derived from a culture of the micro-organism from which the bacteriophage derives its name.

2. *Staff of establishment.*—Any establishment where bacteriophages are prepared must be under the complete direction and control of a competent expert in bacteriology, who must be assisted by a staff adequate for carrying out the tests required during the preparation of the bacteriophages and in connection with the finished products

3. *Proper Name.*—The proper name of any bacteriophage shall be the word Bacteriophage followed by the name of the Micro-organism from which it is prepared, or other name approved by the licensing authority.

4. *Records.*—Cultures used in the preparation of bacteriophages must before being manipulated into a bacteriophage be identified by the generally accepted tests applicable to the particular micro-organism. The permanent records which the licensee is required to keep shall include a record of the origin, properties and characteristics of the cultures.

5. *Combined bacteriophages.*—Bacteriophages may be issued either singly or combined in the same container. In the case of combination of bacteriophage a name for the combined bacteriophage may be submitted by the licensee to the licensing authority, if approved, may be used as a proper name of the bacteriophage.

6. *Containers.*—The container shall be sealed glass ampoule of nonalkaline resistance glass.

7. *Labelling.*—The label of the container shall indicate:—

- (a) The proper name of the bacteriophage;
- (b) the words 'For oral administration only' ;

(c) the date of manufacture; and

(d) a caution to the effect that if the preparation is cloudy or shows a deposit it should be discarded.

8. *Tests*.—Bacteriophages shall be subjected to the same tests for sterility as prescribed in these Rules for bacterial vaccines.

PART XII.—(A) THE DIGITALIS GROUP OF DRUGS AND ERGOT AND ITS DERIVATIVES.

1. *Proper Names, etc.*—The proper names, standard preparations, units of standardization, quality and method of storage of drugs belonging to the digitalis group and of ergot and its derivatives shall be those specified in the British Pharmacopoeia.

2. *Tests*.—Drugs belonging to the digitalis group and ergot and its derivatives shall be submitted to the tests described in the British Pharmacopoeia.

(B) FISH-LIVER OILS.

1. *Units of standardization*.—The units of standardization for vitamin preparations shall be those specified in the British Pharmacopoeia.

2. *Tests*.—Fish-liver oils and other vitamin preparations shall be submitted to one of the tests for activity specified in the British Pharmacopoeia.

(C) LIQUOR ADRENALINAE HYDROCHLORIDI NOT TO BE ADMINISTERED PARENTERALLY.

These preparations shall be submitted to the test prescribed in part VIII of this Schedule except that they will not be tested for sterility. The label on the container and the label or wrapper on the package shall bear the words "Not to be injected" clearly printed in a distinctive manner in addition to any particulars prescribed in these Rules.

(B) PREPARATIONS CONTAINING ANY VITAMINS IN A FORM NOT TO BE ADMINISTERED PARENTERALLY.

1. *Definition*.—Vitamins include natural and synthetic Vitamins, synthetic derivatives of Vitamins, Vitamin esters and synthetic substances having physiological actions comparable with those of the aforementioned substances and natural products containing Vitamins.

2. *Units of standardization*.—The units of standardization for Vitamin preparations shall be those specified in the British Pharmacopoeia.

3. *Tests*.—Drugs containing Vitamins shall be submitted to the tests for Vitamins prescribed in the British Pharmacopoeia or the United States Pharmacopoeia.

4. *Labelling*.—(1) The number of units of each vitamin per unit of volume or weight shall be declared on the label.

2. The label on the container and the label or wrapper on the package shall bear the words "Not to be injected" clearly printed in

a distinctive manner in addition to any other particulars prescribed in any other Rule.

(E) PREPARATIONS CONTAINING LIVER EXTRACT IN ANY FORM
NOT TO BE ADMINISTERED PARENTERALLY.

Tests.—Drugs containing liver extract shall be submitted to the tests prescribed in the British Pharmacopoeia or the United States Pharmacopoeia.

2. *Labelling.*—The label on the container and the label or wrapper on the package shall bear the words “Not to be injected” clearly printed in a distinctive manner in addition to any particulars prescribed in any other Rule.

PREPARATIONS CONTAINING HORMONES IN ANY FORM NOT TO BE
ADMINISTERED PARENTERALLY

1. *Definition.*—Hormones include natural and synthetic Hormones synthetic derivatives of Hormones, Hormone esters and synthetic subglandular products containing Hormones.

2. *Tests.*—Drugs containing Hormones shall be submitted to the tests prescribed in the British Pharmacopoeia or the United States Pharmacopoeia or by the licensing authority if any particular Hormone is not included in the British Pharmacopoeia or the United States Pharmacopoeia,

3. *Labelling.*—The label on the container and the label or wrapper on the package shall bear the words “Not to be injected” clearly printed in a distinctive manner in addition to any particulars prescribed in any other Rule.

PART XIII.—GENERAL.

1. For the purposes of this Schedule, any test or method of testing described in the British Pharmacopoeia shall be deemed to be a method approved by the licensing authority.

2. This licensing authority shall publish in the official Gazette from time to time particulars of any test or method of testing approved by him.

SCHEDULE G

(See Rule 97.)

Allylisopropylacetylurea ;

Insulin ;

Phenylethylhydantoin ; its salts ; its acyl derivatives ; their salts ;

Pituitary gland, the active principles of ;

Thyroid gland, the active principles of ; their salts.

SCHEDULE H

(See Rule 65 (9) and (11).)

Substances required to be sold by retail only upon a prescription given by a registered medical practitioner.

Amidopyrine ; its salts.

Barbituric acid ; its salts ; derivatives of barbituric acid ; their salts ; compounds of barbituric acid, its salts, its derivatives, their salt, with any other substance ; provided that compounds, the barbituric acid content of which does not exceed 50 milligrams in a single therapeutic dose shall be exempted.

Dinitrocresols ; dinitronaphthols ; dinitrophenols ; dinitrothymols.

Para-aminobenzenesulphonamide ; its salts ; derivatives of paraaminobenzenesulphonamide having any of the hydrogen atoms of the paraamino group or the sulphonamide group substituted by another radical ; their salts.

Phenyleinchoninic acid ; Salicyloinchoninic acid ; their salts, their esters. Sulphonal ; alkyl sulphonals.

SCHEDULE I

(See Rule 101 (4).)

Particulars as to proportion of poison in certain cases.

Name of Poison.

Particulars.

Alkaloids—

Aconite, alkaloids of

.... The proportion of any one alkaloid of aconite that the preparation would be calculated to contain on the assumption that all the alkaloids of aconite in the preparation were that alkaloid.

Belladonna, alkaloids of

.... The same as above, with the sub-

Calabar bean, alkaloids of

.... stitution for the reference to

Coca, alkaloids of

.... aconite of a reference to bella-

Ephedra, alkaloids of

.... donna, calabar bean or such other

Ergot, alkaloids of

.... of the said poisons as the case

Gelsemium, alkaloids of

.... may require.

Jaborandi, alkaloids of

Lobelia, alkaloids of

Pomegranate, alkaloids of

Solanaceous alkaloids not

otherwise included in
Schedule E.

Stavesacre, alkaloids of

Veratrum, alkaloids of

Yohimba, alkaloids of

Antimonial poisons

.... The proportion of antimony trioxide (Sb 203) or antimony peroxide (Sb205) that the preparation would be calculated to contain on the assumption that the

| | | |
|---|------|---|
| | | antimony (Sb) in the poison had been wholly converted into antimony trioxide or antimony pentoxide as the case may be. |
| Arsenical poisons | | The proportion of arsenic trioxide (As ₂ O ₃) or arsenic pentoxide (As ₂ O ₅) the preparation would be calculated to contain on the assumption that the arsenic (As) in the poison had been wholly converted into arsenic trioxide or arsenic pentoxide as the case may be. |
| Barium, salts of | | The proportion of one particular barium salt which the preparation would be calculated to contain on the assumption that the barium (Ba) in the poison had been wholly converted into that salt. |
| Digitalis, glycosides of : other active principles of digitalis. | | The number of units of activity as defined in the <i>British Pharmacopoeia</i> contained in a specified quantity of the preparation. |
| Hydrocyanic acid ² ; cyanides : double cyanides of mercury and zinc. | | The proportion of hydrocyanic acid (HCN) that the preparation would be calculated to contain on the assumption that the cyanides in the poison had been wholly converted into hydrocyanic acid. |
| Lead, compounds of, with acids from fixed oils. | | The proportion of lead oxide (PbO) that the preparation would be calculated to contain on the assumption that the lead in the poison had been wholly converted into lead oxide. |
| Mercury, organic compounds of. | | The proportion of organically combined mercury (Hg) contained in the preparation. |
| Phenols | | The proportion of phenols (added together) contained in the preparation. |
| Compounds of phenol with a metal. | | The proportion of phenols (added together) that the preparation would be calculated to contain on the assumption that the compo- |

und of phenols with a metal had been wholly converted into the corresponding phenols.

Pituitary gland, the active principles of.

Either—

- (a) the number of units of activity as defined in the *British Pharmacopoeia* contained in a specified quantity of the preparation; or
- (b) the proportion of pituitary gland, or of anterior or of posterior lobe of the gland, as the case may be, contained in the preparation; or
- (c) the amount of pituitary gland, or of anterior or of posterior lobe of the gland as the case may be from which a specified quantity of the preparation was obtained, together with an indication whether the amount relates to fresh or to dried gland substance.

Potassium hydroxide

.... The proportion of potassium monoxide (K₂O) which the preparation would be calculated to contain on the assumption that the potassium hydroxide in the preparation had been wholly converted into potassium monoxide.

Sodium hydroxide

.... The proportion of sodium monoxide (Na₂O) which the preparation would be calculated to contain on the assumption that the sodium hydroxide in the preparation had been wholly converted into sodium monoxide.

Strophanthus, glycosides of

... The amount of Standard Tincture of Strophanthus as defined in the *British Pharmacopoeia* which possesses the same activity as a specified quantity of the preparation when assayed by the method described in the said *Pharmacopoeia*.

Suprarenal gland, the active principles of; their salts.

Either—

- (a) The proportion of suprarenal gland or of the cortex or of the medulla of the gland, as the case may be, contained in the preparation; or
- (b) the amount of suprarenal gland or of the cortex or of the medulla of the gland, as the case may be, from which a specified quantity of the preparation was obtained, together with an indication whether the amount relates to fresh or dried gland substance.

Thyroid gland, the active principles of, their salts.

Either—

- (a) the proportion of thyroid gland contained in the preparation, or
- (b) the amount of thyroid gland from which a specified quantity of the preparation was obtained together with an indication whether the amount relates to fresh or dried gland.

SCHEDULE J.

(See Rule 106.)

Diseases and ailments which a drug may not purport or claim to cure

Blindness.
Bright's disease.
Cancer.
Cataract.
Deafness.
Delayed Menstruation.
Diabetes.
Epilepsy.
Female Diseases (in general).
Fevers (in general).
Fits.
Glaucoma.
Goitre.
Gonorrhoea.
Heart Diseases.
High Blood Pressure.
Hydrocele.
Infantile Paralysis.

Leprosy.
Leucoderma.
Lockjaw.
Locomotor Ataxia.
Lunacy.
Lupus.
Obesity.
Paralysis.
Palgue.
Rupture.
Sexual impotence.
Small Pox.
Soft Chancre.
Syphilis.
Tuberculosis.
Tumours.
Venereal Diseases (in general).

SCHEDULE K.

(See Rule 123.)

| <i>Class of drugs</i> | <i>Extent and conditions of exemption</i> |
|---|---|
| 1. Substances not intended for medicinal use. | All the provisions of Chapter IV of the Act and the Rules thereunder, subject to the condition that the drug is not for medicinal use or for use in the manufacture of medicines and does not purport to comply with the standard set out in the Schedule to the Act. |
| 2. Omitted. | (Omitted by Government of India Notification No. F. 1-56/47—D dated 16/1/1950). |
| 2A. Quinine and other antimalarial drugs. | Persons selling the drugs by retail under arrangements made by State Governments for sale and distribution of the drugs, will be exempted from the requirement to take out licences for retail sale under clause (c) of Section 18 of the Act. |
| 3. Biological and other special products specified in Schedule C intended to be used solely for veterinary purposes. | All the provisions of Chapter IV of the Act and the Rules thereunder, subject to the conditions that each container shall bear a label indicating that the substance is for veterinary use only. |
| 4. Patent or proprietary medicines intended to be used solely for veterinary purposes. | All the provisions of Chapter IV of the Act and the Rules thereunder, subject to the conditions that the description on the label or the container shall indicate that the medicine is intended for administration to animals. |
| 5. Drugs supplied by a registered medical practitioner to his own patient, or any drug specified in Schedule C supplied by a registered medical practitioner at the request of another such practitioner if it is specially prepared with reference to the condition and for the use of an individual | All the provisions of Chapter IV of the Act and the Rules thereunder, subject to the condition that, in the case of a medicine containing a substance specified in Schedule E— (a) the medicine shall be labelled with the name and address of the institution by which, or the registered medical |

patient provided the registered medical practitioner is not
 (a) keeping an open shop or
 (b) selling across the counter
 or (c) engaged in the importation, manufacture, distribution or sale of drugs in India to a degree which renders him liable to the provisions of Chapter IV of the Act and the Rules thereunder and drugs supplied by a hospital or dispensary maintained or supported by Government or a local body or by charity or voluntary subscription

practitioner by whom it is supplied ;

- (b) if the medicine is for external application, it shall be labelled with the words "Poison. For external use only" or, if it is for internal use with the dose ;
- (c) the name of the medicine or ingredients of the preparation and the quantities thereof, the dose prescribed, the name of the patient and the date of supply and in the case of a medicine supplied by a hospital or dispensary, the name of the person who gave the prescription shall be entered at the time of supply in a register to be maintained for the purposes ;
- (d) the entry in the register shall be given a number and that number shall be entered on the label of the container;
- (e) the register and the prescriptions, if any, on which the medicines are issued, shall be preserved for not less than two years from the date of the last entry in the register the date of the prescription as the case may be.

6. Medicine supplied by a veterinary hospital or by a veterinary surgeon.

All the provisions of Chapter IV of the Act and the Rules thereunder subject to the condition that in the case of medicine containing a substance specified in Schedule E the container shall bear a label indicating that the medicine is intended for animal treatment.

7. Quinine Sulphate

The provisions of sub-section (a) (i) of Section 18 of the Act to the following extent:-

- (i) the colour of the drug may be pink, owing to its being

coloured with an edible pink colouring matter ;

(ii) the B. P. tests for readily carbonisable substances, produce a yellow colour of an intensity about four times the colour produced with quinine sulphate conforming to the B.P. standard ;

(iii) other Cinchona alkaloids present shall not exceed six per cent ; and

(iv) the residue on incineration shall not exceed 0.14 per cent.

8. Medicines prepared in accordance with and intended solely for the treatment of patients under the Homeopathic system of medicine. All the provisions of Chapter IV of the Act and the Rules thereunder subject to the condition that a container containing such drugs shall bear a label 'Homeopathic Medicine.'

Additions and Alterations to the Rajasthan Drugs Rules, 1954.

No. 1.

In Schedule C (1) to the said Rules, for items 1, 3, 5, 6 and 7 the following items shall respectively be substituted, namely :—

- "1. Drugs belonging to the Digitalis group and the preparations thereof not in a form to be administered parenterally.";
- "3. Adrenaline and the preparations thereof not in a form to be administered parenterally.";
- "5. Vitamins and the preparations thereof not in a form to be administered parenterally.";
- "6. Liver extract and the preparations thereof not in a form to be administered parenterally."; and
- "7. Hormones and the preparations thereof not in a form to be administered parenterally."

No. 2.

In Schedule F annexed to the said Rules, in Part XII, under the heading "D.—Preparations containing any vitamins in a form not to be administered parenterally", in the sub-head relating to "Labelling" for entry 1, the following entry shall be substituted, namely:—

- "1. The number of units and/or the actual weight of each vitamin per unit volume and/or weight shall be declared on the label."

No. 3.

In Schedule 'A' to the said Rules, in Form 21 under the head-

ing "*Conditions of licence*" after condition 3, the following shall be inserted namely :—

- "4. If the licensee wants to sell, stock, exhibit for sale or distribute, during the currency of the licence additional products specified in Schedule 'C' but not included in this licence, he should apply to the Licensing Authority for the necessary permission. This licence will be deemed to extend to the products in respect of which such permission is given. This permission should be endorsed on the licence by the Licensing Authority."

No. 4.

In the said Rules, for rule 106 the following rule shall be substituted, namely :—

- "106. *Diseases which a drug may not purport to prevent or cure.*

No drug may purport or claim to prevent or to cure one or more of the diseases or ailments specified in Schedule J or to procure or assist to procure miscarriage in women."

No. 5.

For the heading to Schedule J annexed to the said Rules the following heading shall be substituted, namely :—

- "*Diseases and ailments (by whatever name described) which a drug may not purport to prevent or cure.*"

N. 7.

In Schedule H to the said Rules, to the entry beginning with the word "Para-aminobenzenesulphonamide" and ending with the words 'their salts' the following shall be inserted, namely :—

- "but excluding preparations and dressings containing these for external use.

No. 8.

In the said Rules—

In the first proviso to rule 44, for the figure 14 in the two places where it occurs, the figure 15 shall be substituted.

N. 9.

In Schedule A, in clause (1) of form 9—

(a) After the figures "1945" the words "excepting Penicillin and preparations of Penicillin for parenteral administration and Streptomycin shall be inserted.

(b) After the words "British India" the words "in the case of Penicillin and preparations of Penicillin for parenteral administration and Streptomycin, the said applicant shall be an authorised Agent in India" shall be added.

No. 10.

In Schedule C—

(a) In item 11 for the word "Penicillin" the words "Penicillin and preparations of Penicillin for parenteral administration" shall be substituted.

(b) (i) After item 11 the following item shall be inserted, namely :— "12. Streptomycin".

(ii) Item 12, 13 and 14 shall be renumbered as items 13, 14 and 15 respectively.

No. 11.

In Schedule C (1), after item 8, the following item shall be inserted, namely :—

"9. Preparations containing Penicillin not in a form to be administered parenterally."

No. 12.

In Schedule E in the entry beginning with the words "Hydrofluoric acid" *insert* a semicolon after the words "Sodium-silicofluoride."

S. L. KAKAR,
Secretary to the Government.

NOTIFICATIONS UNDER DRUGS ACT, 1940

Published in Raj. Raj-patra Dated February 21, 1957 part IV (c) at page 855 :

MEDICAL AND PUBLIC HEALTH DEPARTMENT NOTIFICATION

Jaipur, January 31, 1957.

No. 16 A (2) MPH/53. In pursuance of rule 1 (3) of the Rajasthan Drugs Rules, 1954, (of the pre Reorganisation State of Rajasthan), the State Government hereby orders that the said rules shall come into force with effect from the date of publication of this notification in the Rajasthan Gazette.

By Order of the Governor,
S. P. SINGH BHANDARI,
Secretary to the Government,

Published in Raj. Raj-patra Dated October 24, 1957 part IV (c) at page 554 :

Jaipur, October 9, 1957.

No. F. 16 A (2) M.H./53.—In exercise of the powers conferred by sub-rule (1) of rule 59 and sub-rule (1) of rule 69 of the Drugs Rules, 1945, the Government of Rajasthan is hereby pleased to appoint the Director of Medical and Health Services, Rajasthan, to be the Licensing Authority for the whole of the State of Rajasthan for the purposes of Part VI (Sale of Drugs) and Part VII (Manufacture for sale) of the said rules.

Jaipur, October 9, 1957.

No. F. 16 A. (2) M.H./53.—In exercise of the power conferred by section 21 of the Drugs Act, 1940 (Central Act No. XXIII of 1940), the Government of Rajasthan is pleased to appoint all the Assistant Health Officers of the State as well as Chief Medical Officers of the marginally noted places of the Medical and Health Department, Rajasthan, as Drugs Inspectors within the areas in their respective charge.

1. Dholpur.
2. Tonk.
3. Sirohi.
4. Dungarpur.

By Order of the Governor,
S. P. SINGH BHANDARI,
Secretary to the Government.

Published in Raj. Raj-patra Dated June 1958 part I (b) at page 372 :

MEDICAL AND PUBLIC HEALTH DEPARTMENT NOTIFICATION

Jaipur, May 15, 1958.

No. F. 16 (19) (2) M.H./56.—In exercise of the power conferred by section 21 of the Drugs Act, 1940 (Central Act No. XXIII of 1940), the State Government is pleased to appoint the following Assistant Health Officers as Inspectors for the purposes of Chapter IV thereof within the areas noted against each, namely;—

- | | |
|---|---|
| 1. Assistant Health Officer posted in office of Assistant Director of Health Services Jaipur, | 1. Ajmer District. |
| 2. Assistant Health Officer, Bharatpur. | 1. Alwar and 2. Sawai Madhopur Districts. |
| 3. Assistant Health Officer Kotah. | 1. Jhalawar District. |
| 4. Assistant Health Officer, Bikaner. | 1. Churu and 2. Ganganagar Districts. |
| 5. Assistant Health Officer Jodhpur. | 1. Nagour; 2. Pali and 3. Jalore Districts. |
| 6. Assistant Health Officer, Udaipur. | 1. Banswara |

2. Chittorgarh and
3. Bhilwara Districts

The Drug Inspector, Delhi, shall henceforth cease to be an Inspector for the Ajmer area.

By Order of the Governor,
S. P. SINGH BHANDARI,
Secretary to Government.

Published in Raj. Raj-patra Dated August 14, 1958 part IV (c) at page 781 :

MEDICAL AND PUBLIC HEALTH DEPARTMENT NOTIFICATION

Jaipur, July 4, 1958.

No. DC/511'—In pursuance of Rule 60 of the Drugs Rules, 1945 and with the approval of the State Government, I. B. N. Sharma, the Licensing Authority, appointed by the Government Notification No. F. 16 A (2) MH/53, dated the 9th October, 1957, do hereby delegate the power to sign licences and all other powers of the Licensing Authority under Part VI of the said Rules to the following officers, to be exercised within the districts noted against each namely:—

| Officers. | | | | | Districts. | |
|--------------|---------|-----|--------|-----------------------|---|--|
| 1 | | | | | 2 | |
| 1. Principal | Medical | and | Health | Officer, Jodhpur. ... | Jodhpur & Jaisalmer. | |
| 2. " | " | " | " | " Bikaner. ... | Bikaner. | |
| 3. " | " | " | " | " Udaipur. ... | Udaipur. | |
| 4. " | " | " | " | " Kotah ... | Kotah. | |
| 5. " | " | " | " | " Alwar ... | Alwar. | |
| 6. " | " | " | " | " Bharatpur ... | Bharatpur and Dholpur. | |
| 7. " | " | " | " | " Ajmer. ... | Ajmer & Kishangarh. | |
| 8. District | " | " | " | " Pali ... | Pali and Sirohi. | |
| 9. " | " | " | " | " Nagour ... | Nagour. | |
| 10. " | " | " | " | " Jalore ... | Jalore and Barmer. | |
| 11. " | " | " | " | " Ganganagar. | Ganganagar. | |
| 12. " | " | " | " | " Ratangarh .. | Churu. | |
| 13. " | " | " | " | " Banswara ... | Banswara and Dungarpur. | |
| 14. " | " | " | " | " Bhilwara ... | Bhilwara. | |
| 15. " | " | " | " | " Pratnagarh ... | Chittorgarh. | |
| 16. " | " | " | " | " Jhalawar ... | Jhalawar. | |
| 17. " | " | " | " | " Sikar ... | Sikar & Jhunjhunu. | |
| 18. " | " | " | " | " Jaipur ... | Jaipur (excluding Kishangarh) and Tonk. | |
| 19. " | " | " | " | " Karauli ... | Sawai Madhopur. | |

B. N. SHARMA,
Licensing Authority.

Published in Raj. Raj-patra Dated November 13, 1958 part IV (c) at page 1170 :

MEDICAL & HEALTH DIRECTORATE, RAJASTHAN NOTIFICATION

Jaipur, October 29, 1958.

Subject;—Enforcement of Drugs Act, 1940 (XXIII of 1940) as amended by the Drugs (Amendment) Act, 1955 (II of 1955) and the Drugs Rules, 1945 made thereunder in Rajasthan.

No. DC/158/834.—As per Government of Rajasthan, Medical & Public Health Department letter No. F. 16 A (2) MH/58 dated 16-10-58, this office notification No. DC/571 dated 23rd July, 1958 under which the implementation of the Drugs Rules, 1945, was enforced in Rajasthan, is hereby cancelled with immediate effect.

B. N. SHARMA,
Director of Medical & Health Services
& Drugs Controller, Rajasthan, Jaipur.

DRUGS ACT, 1940.

Published in Raj Raj-patra part IV (c) dated July 9, 1959 at page 327

Medical and Public Health Department

NOTIFICATION

Jaipur, July 4, 1959.

No. F. 16 (A) MH/53.—In exercise of the power conferred by sub-section (3) of section 1 of the Drugs Act, 1940 (Central Act 23 of 1940), the Government of Rajasthan is hereby pleased to appoint the 16th day of July, 1959 to be the date on which Chapter IV of the said Act shall take effect in those parts of the State of Rajasthan in which the said Chapter is not already in force.

Jaipur, July 4, 1959.

No. 16 A (2) MH/53.—In exercise of the power conferred by section 18 of the Drugs Act, 1940 (Central Act 23 of 1940), the Government of Rajasthan is pleased to fix the 16th day of July, 1959 to be the date for the purposes of that section for the whole of the State of Rajasthan except such areas thereof in respect of which a date has been previously fixed for the said purposes.

By Order of the Governor,

VISHNU DUTTA SHARMA,

Secretary to the Government.

Published in Raj. Rj-patra part IV (c) dated November 19, 1959 at page 881-882

Medical and Public Health Department

NOTIFICATION

Jaipur, October 5, 1959.

No. F. 1 (31) (128) MPH.159.—In exercise of the powers conferred by section 21 of the Drugs Act, 1940 (Central Act No. XXIII of 1940), and in supersession of this Department Notification No. F. 16 (19) (2) MH/56 dated 15th May, 1958, the State Government hereby appoints the following Assistant Health Officers as Inspectors for the purposes of Chapter IV thereof, within the areas noted against each namely:—

- | | |
|---|--------------------------|
| 1. Assistant Health Officer Bikaner | Ganganagar District. |
| 2. Assistant Health Officer, Bharatpur | Sawai Madhopur District. |
| 3. Assistant Health Officer, Pali | Nagour District. |
| 4. Assistant Health Officer, Bhilwara | Chittorgarh District. |
| 5. Assistant Health Officer, Ratangarh | Sikar District. |
| 6. Assistant Health Officer posted in the office of Assistant District of Health Services. Jaipur | Jaipur District. |
| 7. Assistant Health Officer posted in the office of D. M. & H. O. Jaipur with headquarters at Ajmer | Ajmer District. |

By Order of the Governor,
VISHNU DUTTA SHARMA,
Secretary to the Government.

Notifications under

DRUGS RULES, 1945.

Published in Raj. Raj-patra part IV (c) dated December 3, 1959 at page 986

Medical and Public Health Department

NOTIFICATION

Jaipur, August 24, 1959.

No. F. 16 (A) (2) MH/53.—The Drugs Act, 1940 and the rules made thereunder have been enforced in the State of Rajasthan with effect from 16th July, 1959 *vide* Government Notification No. F. 16 (A) (2) MH/53, dated 4th July, 1959. Under sub-rule 9 of rule 65 of the Drugs Rules, 1945, it has been provided that substances specified in Schedule H and L and preparations containing such substances shall not be sold by retail except on and in accordance with the prescription of a Registered Medical Practitioner. The term "Registered Medical Practitioner" has not yet been defined under the Drugs Rules, 1945, and until it is so done, the Medical Practitioners Registered under the Rajasthan Indian Medicines Act, 1953 shall be deemed to be the Registered Medical Practitioners for the purposes of the said Rules.

By Order of the Governor,
A. L. ROONGTA,
Secretary to the Government.

Published in Raj. Raj-patra part IV (c) dated October 22, 1959 at page 817

Medical and Public Health Department

NOTIFICATION

Jaipur, September 11., 1959.

No. DC/841.—In pursuance of Rule 60 of the Drugs Rules 1945, and with the approval the State Government, I. B. N. Sharma, the Licensing Authority, appointed by the Government Notification No. 16 (A) (2) MH/53, dated 9th October, 1957, do hereby delegate the powers to sign licences and all other powers of Licensing Authority, under Part VI of the said Rules, to the Assistant Director of Health Services, Jaipur, by virtue of his office instead of District Medical & Health Officer, Jaipur.

B. N. SHARMA,
Licensing Authority.

Notifications under Drugs Act, 1940

Circ. No. DC/2653.—Whereas the Drugs Act, 1940, as amended by the Drugs (Amendment) Act, 1955 and the Drugs (Amendment) Act, 1960 and the Drugs Rules, 1945 thereunder as corrected up-to-date lay down under Rule 65, sub-rule (9), (10) and (11) of the Drugs Rules, 1945, as under:—

“(9) Substances specified in schedules H and L and preparations containing such substances shall not be sold by retail except on and in accordance with a prescription of a registered medical practitioner :

Provided that no prescription shall be required for sale or supply to a registered medical practitioner, hospital, infirmity, or an institution approved by an order of a licensing authority.

(10) For the purposes of clause (9) a prescription shall—

(a) be in writing and be signed by the person giving it with his usual signature and be dated by him;

(b) specify the name and address of the person for whose treatment it is given;

(c) indicate the total amount of the medicine to be supplied and the dose to be taken.

(11) The person dispensing a prescription containing a drug specified in Schedule ‘H’ shall comply with the following requirements in addition to other requirements of these Rules—

(a) the prescription must not be dispensed more than once, unless the prescriber has stated thereon that it may be dispensed more than once;

(b) if the prescription contains a direction that it may be dispensed a stated number of times or at stated intervals it must not be dispensed otherwise than in accordance with the directions;

(c) at the time of dispensing there must be noted on the prescription above the signature of the prescriber the name and address of the seller and the date on which the prescription is dispensed.”

It is hereby notified for the information of all chemists and druggists as well as Registered Medical Practitioners registered under the Medical Act, 1952 that a prescription of drugs under Schedule H and L—copies of schedules attached herewith—shall not be dispensed unless the prescription is signed by a Medical Practitioner and bears the registration number with the Rajasthan Medical Council.

All sale licencees, Chemists and Druggists—who violate the provisions of the Drugs Act and Rules thereunder are liable to get their licences cancelled.

SCHEDULE "H"

Barbituric acid; its salts; derivatives of barbituric acid; their salts; compounds of barbituric acid, its salts; its derivatives; their salts, with any other substance, provided that compounds, the barbituric acid content of which does not exceed 50 milligrams in a single therapeutic dose shall be exempted.

**Chloral Hydrate.

Dinitroresols; dinitronaphthols; dinitrophenols; dinitrothymols.

Para-aminobenzenesulphonamide, its salts; derivatives of—para-aminobenzenesulphonamide having any of the hydrogen atoms of the para-amino group or the sulphonamide group substituted by another radical, their salts excluding Preparation and dressing containing these for external use.

Phenycinchoninic acid; Salicylcinchoninic acid; their salts, their esters Sulphonal; alkyl sulphonals.

SCHEDULE "L"

Adrenocorticotrophic hormone Antibiotics; the following; their preparations excluding those intended for topical or external use:—

1. Bacitracin.
2. Chloramphenicol.
3. Chlortetracycline.
4. Erythromycin.
5. Gramicidin.
6. Carbomycin.
7. Neomycin.
8. Oxytetracycline.
9. Penicillin.
10. Streptomycin.
11. Tetracycline.
12. Tyrothericins.
13. Viomycin.

Isonicotinic acid hydrazide and other hydrazine derivatives of Isonicotinic acid; their derivatives; their salts.

Para aminosalicylic acid; its salts and their preparations.

(Rajasthan Gazette—Part IV (Ga) dated 10-10-1963, Page 345).

Medical & Public Health Department

NOTIFICATION

No. F. 11-(31) (128) MPH/59/Gr. HL.—In exercise of the power conferred by Section 21 of the Drugs Act, 1940 (Central Act, No. XXII of 1940) and in supersession of this Department Notification No. F. 16 (A) (2) MH/53, dated 9.10.57 and other subsequent amendments made from time to time, the Government of Rajasthan hereby appoint the following officers

as District Health Officers for the purposes of Chapter IV thereof within the area noted against each.

| | | | |
|-----|---------------------------------|-------------------------|--------------------------------|
| 1. | District Health Officer, Jaipur | Jaipur District. | |
| 2. | District Health Officer, | Jaisalmer | Jodhpur & Jaisalmer |
| 3. | do | Bikaner & Churu | Bikaner & Churu District. |
| 4. | do | Udaipur | Udaipur Distt. |
| 5. | do | Kotah & Bundi | Kotah & Bundi Distt. |
| 6. | do | Ajmer | Ajmer Distt. |
| 7. | do | Alwar | Alwar |
| 8. | do | Bharatpur & Dholpur | Bharatpur and Dholpur Distt. |
| 9. | do | Bhilwara | Bhilwara Distt. |
| 10. | do | Pali | Pali Distt. |
| 11. | do | Nagaur | Nagaur Distt. |
| 12. | do | Ganganagar | Ganganagar Distt. |
| 13. | Asstt. Health Officer, | Swai Madhopur & Tonk | Swai Madhopur & Tonk Distt. |
| 14. | do | Sikar and Jhunjhunu | Sikar and Jhunjhunu Distt. |
| 15. | do | Dungarpur | Dungarpur Distt. |
| 16. | do | Jalore, Barmer & Sirohi | Jalore, Barmer & Sirohi Distt. |
| 17. | do | Banswara | Banswara Distt. |
| 18. | do | Jhalawar | Jhalawar Distt. |
| 19. | do | Chittorgarh | Chittorgarh Distt. |

By Order of the Governor,
R. K. CHATURVEDI

Secretary to the Government
Medical & Public Health Deptt.

Published in Rajasthan Raj-patra Part IV [c] dated April 4 1961 page 5-6 :

Medical and Public Health Department

Jaipur, October 19, 1965.

Notification No. F. 8 (3) MPH/65:—In exercise of the powers conferred by rule 67-A(1), Rule 85-B (1) and Rule 138 (1) of the Drugs and Cosmetic Rules, 1945 the State Government hereby appoints the Director of Medical & Health Services, Rajasthan to be the Licensing Authority for whole of the State of Rajasthan for the purposes of parts VI-A, VII-A and XIV of the said Rules.

Rules and Notifications under

DRUGS (CONTROL) ORDINANCE, 1949. THE
RAJASTHAN (31 OF 1949).

**NOTIFICATIONS UNDER
RAJASTHAN DRUGS (CONTROL) ORDINANCE, 1949**

Published in Raj. Raj-patra Dated March 12, 1955 part I (b) at page 764 :

MEDICAL AND PUBLIC HEALTH DEPARTMENT

NOTIFICATIONS.

Jaipur, March 1, 1955,

No. D. 886/M.H./55.—In exercise of the powers conferred by section 3 of the Rajasthan Drugs (Control) Ordinance, 1949 (XXXI of 1949), the Government declares the following drugs to be drugs to which the said ordinance applies,—

Isonicotinic Acid Hydrazide, any other Hydrazide derivative of Isonicotinic Acid and preparations containing Hydrazide derivatives Isonicotinic Acid.

Jaipur, March 1, 1955.

N. 886/M.H./55.—In exercise of the powers conferred by section 12 of the Rajasthan Drugs (Control) Ordinance, 1949 (XXXI of 1949), the Government hereby directs that in the State of Rajasthan, no importer or manufacturer of Isonicotinic Acid Hydrazide, or any other Hydrazide derivative of Isonicotinic Acid or preparations containing Hydrazide derivatives of Isonicotinic Acid shall sell it to any persons other than:—

(i) a registered medical practitioner;

(ii) any person on the prescription of a registered medical practitioner;

(iii) any person possessing a licence for sale of drugs under drugs Act, 1954.

Provided that any such licensee shall not sell the drug to any persons other than those mentioned in entries (i) and (ii) above,

S. L. KAKAR,
Secretary to the Government.

Rules and Notifications under

DRUGS & MAGIC REMEDIES (OBJECTIONABLE ADVERTISEMENTS) ACT, 1954 (CENTRAL ACT No. 21 OF 1954).

NOTIFICATIONS UNDER

DRUGS & MAGIC REMEDIES (OBJECTIONABLE ADVERTISEMENT) ACT, 1954 (No. 21 of 1954)

Published in Raj. Raj-patra Dated October 24, 1957 part IV (c) at page 554 :

MEDICAL & P. H. DEPARTMENT NOTIFICATIONS

Jaipur, October 9, 1957.

No. F. 10 (14) (1) M.P.H./55.—In exercise of the power conferred by rule 7 of the Drugs and Magic Remedies (Objectionable advertisement) Rules, 1955, the Government of Rajasthan hereby authorise the Director of Medical & Health Services, Rajasthan, Jaipur to entertain applications under the said rule.

Jaipur, October 9, 1957.

No. F. 10 (14) (1) M.P.H./55.—In exercise of the powers conferred under section 8 of the Drugs and Magic Remedies (Objectionable Advertisement) (Central Act 21 of 1954) Act, 1954, the State Government hereby authorise the Director of Medical and Health Services, Rajasthan, Jaipur, and the Drugs Inspectors appointed *vide* this Department Notification No. F. 16 A (2) M.H./53, dated 9-10-57 to exercise the powers under the said section.

S. P. SINGH BHANDARI,
Secretary to the Government,

Rules and Notifications under

DUNGARPUR STATE DEVASTHAN NIDHI (AMEND-
MENT) ACT, 1959 (RAJ. ACT, 40 OF 1959)

Dungarpur State Devasthan Nidhi Rules, 1961

Jaipur, February 20, 1961.

No. F. 3 (C) (123) Rev./A/59.—In exercise of the powers conferred by section 14 of the Dungarpur State Devasthan Nidhi Act, 1948, as amended by the Dungarpur State Devasthan Nidhi (Amendment) Act, 1959, (Rajasthan Act 40 of 1959), the State Government does hereby make the following rules, namely:—

1. *Short title and commencement.*—(1) These rules may be called the Dungarpur State Devasthan Nidhi Rules, 1961.

(2) They shall come into force at once.

2. *Interpretation.*—In these rules, unless the subject or context otherwise requires:—

(i) 'the Act' means the Dungarpur State Devasthan Nidhi Act, 1948, as amended by the Dungarpur State Devasthan Nidhi (Amendment) Act, 1952 (Act, 40 of 1959);

(ii) 'Nidhi' means the Devasthan Nidhi constituted under section 7 of the Act;

(iii) 'President' means the President of Devasthan Nidhi;

(iv) 'section' means a section of the Act.

3. *Interests to be represented by persons nominated under clause (vi) of sub-section (1) of section 7.*—The number of persons to be nominated by the State Government under clause (vi) of sub-section (1) of section 7 and the interests they shall represent shall be as under:—

| | |
|-----------------|-----|
| (i) Vaishnawas. | Two |
| (ii) Shaiv. | One |
| (iii) Shakt. | One |
| (iv) Pustimarg. | One |

4. *Powers of the president.*—Subject to the directions contained in the instrument of trust of a shrine, temple or other religious or charitable institution which vests in the Devasthan Nidhi, or to any direction given under the Act or under any law for the time being in force, or by a court of law, the President—

(i) shall have all the powers and perform all the functions, necessary, proper and incidental to the carrying out of the objects and purposes of the Nidhi;

(ii) may, subject to the approval of the Nidhi, invest the funds of the Nidhi in any Government security;

(iii) may acquire or dispose of by way of mortgage, sale, exchange or gift, any property, movable or immovable, the value of which does not exceed one thousand rupees and for which the majority of the members present at a meeting of the Nidhi vote;

Provided that for all transactions relating to property exceeding one thousand rupees in value, the previous sanction of the State Government shall be necessary;

(iv) shall have the power and the authority to supervise and inspect the management of the day to-day affairs of the shrines, temples and institutions vested in the Nidhi;

(v) shall provide all necessary facilities to the Examiner of Local Fund Audit for the inspection and auditing the accounts of the Nidhi and of each shrine, temple or institution vested in it, and shall place all information and record at the disposal of such Examiner as may be found necessary for the purposes of audit; and

(vi) shall forthwith report to the State Government for sanction all cases of mutation and appointment of Mathadhis.

5. *Appointment of Pujaris Sewagirs and other servants.*—Subject to the general supervision and control of the Nidhi, all appointments and removals of Pujaris, Sewagirs and other servants of the various shrines, temples and institutions vested in the Nidhi shall be made by the head of such shrine, temple or institution:

Provided that an appeal against an order of dismissal shall lie to the State Government.

6. *Date for submission of administration report.*—A report on the administration of the Nidhi during the year ending on the thirty-first day of December shall be submitted to the State Government by President by the thirty first day of March next following.

By Order of the Governor,
R. K. CHATURVEDY,
Secretary to the Government.